

ELECTION LAWS

STATE OF ARIZONA

(Chapter 89, Laws 1913, 3rd Special Session)

1913 Revised Statutes
As Amended

16-27224

1916

Compiled by
CLARENCE L. STANDAGE
Clerk, Board of Supervisors, Maricopa County

Approved by
CLYDE M. GANDY
County Attorney, Maricopa County.

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TITLE XII
CIVIL CODE, REVISED STATUTES ARIZONA, 1913
AS AMENDED

ELECTIONS

(Chapter 89, Laws 1913—Third Special Session)

Chapter:

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3. Qualifications of Electors.
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CHAPTER I

TIME OF HOLDING

2866. On the first Tuesday after the first Monday in November, 1914, and every two years thereafter, a general election shall be held for the election of a representative in congress, members of the legislature, and state, county and precinct officers.

2867. On the first Tuesday after the first Monday in November, 1916, and quadiennially thereafter, there shall be elected such number of presidential electors as equal the number of United States senators and representatives in congress from this state.

2868. There shall be at each general election immediately preceding the expiration of the term of office of any United States senator from Arizona, an election of a United States senator.

2869. Special elections to fill vacancies in the offices of members of the legislature, representatives in congress, or United States senators shall only be held on the proclamation of the governor for that purpose.

2870. Whenever a vacancy shall occur in the office of United

States senator, by reason of death or resignation, or from any other cause, the vacancy shall be filled at the next general election. At such election a United States senator shall be elected to fill the unexpired term. If the next general election is not to be held within six months, the governor may, in his discretion, call a special election for the purpose of filling such vacancy. In every case, the governor may appoint a United States senator, who shall hold the office until the election of his successor, at a general or special election as provided in this section.

2871. At least thirty days before a general election the governor shall issue a proclamation, containing:

(1) A statement of the time of election and the offices to be filled.

(2) An offer of rewards in the following form: "And I do hereby offer a reward of fifty dollars, for the arrest and conviction of any and every person violating any of the provisions of Title IV, Part I, of the penal code; such rewards to be paid until the total amount hereafter expended for the purpose reaches the amount of one thousand dollars." He shall transmit a copy thereof to the clerk of each board of supervisors of the state.

Sheen vs. Hughes, 4 Ariz. 337—40 Pac. 679.

2872. The board of supervisors of the county shall each be notified by the clerk of his receipt of such proclamation, and within five days after its receipt the board of supervisors shall meet and cause a copy to be published in the official newspaper of the county at least ten days before a general election, and at least five days before a special election.

Sheen vs. Hughes, 4 Ariz. 337—40 Pac. 679.

CHAPTER II

GENERAL PROVISIONS

2873. The person receiving at any election the highest number of votes for any office to be filled at such election is elected thereto.

2874. Electors are privileged from arrest, except for an indictable offense, during their attendance on the election, and in going to and returning from the same.

2875. No elector is obliged to perform military duty on the day of election, except in time of war or public danger.

2876. No fees must be charged an elector for registration or certificates thereof.

2877. The compensation of members of boards of election and clerks must be fixed and audited by the board of supervisors, and paid out of the county treasury.

2878. The necessary printed blanks for poll lists, tally lists, lists

of voters, ballots, oath, and returns, together with envelopes in which to enclose returns, must be furnished by the board of supervisors to the officers of each election precinct at the expense of the county.

CHAPTER III

QUALIFICATIONS OF ELECTORS

2879. Every citizen of the United States, and every citizen of Mexico who shall have elected to become a citizen of the United States under the treaty of peace exchanged and ratified at Querataro on the 30th day of May, 1848, and the Gadsden treaty of 1854, of the age of twenty-one years or over, who shall have become a resident of the state one year next preceding the election, and of the county and precinct in which he claims the right to vote, thirty days, and who, not being prevented by physical disability from so doing, is able to read the Constitution of the United States in the English language in such manner as to show that he is neither prompted nor reciting from memory, and to write his name, shall be deemed to be an elector of the state of Arizona, and shall be entitled to register for the purpose of voting at all elections which are now or may be hereafter authorized by law, but idiots, insane persons, and persons non compos mentis or under guardianship, shall not be qualified to register for any election, nor shall any person convicted of treason or felony be qualified to register for any election unless restored to civil rights.

2880. It is hereby made the duty of the county recorder of each county in the state, between the fifteenth day of March, and the first day of May of the year 1913, and each even numbered year thereafter between the first day of May and the fifteenth day of October, to procure a sufficient supply of all books and blanks required by this chapter, and to register all the electors in the county and to transmit to the secretary of state a list of the electors and their addresses in his county, sending each week the names registered that week; provided, however, that the registration from March 15th, 1913, to May 1st, 1913, shall be cumulative to the registration of 1912. The board of supervisors of each county shall order to be paid out of the county treasury the reasonable and necessary expenses so incurred by the county recorder.

2881. There shall be one or more volumes of the registration book, well bound with leather backs and corners and cloth sides, for each county, sufficient to contain the names of all the electors in the county, called the "General County Register." Said registration book shall be ruled and printed upon twenty-four pound folio, superfine white paper so that each double page may be twenty-two inches wide and seventeen inches long. Such book shall be ruled and printed

alike for all counties in the state. Each general county register shall have four blank leaves, suitably ruled, in the front, to facilitate making an index to the several precincts in the county, and the pages shall be numbered consecutively on the upper right hand corner of each double page. Each county recorder shall, before proceeding to register electors, suitably divide his general county register into as many parts as there are election precincts in his county, and index the several precincts in the county. There shall be one registration book bound in tag board, with cloth strips on the back, for each election precinct in each county in the State, called the "Precinct Register for.....Precinct,.....County," and its pages shall be alphabetically indexed on the margin so as to facilitate registering the electors in the precinct in alphabetical order, according to surnames. The paper, size of pages, ruling and printing shall be the same as used for the general county register, but the pages need not be numbered: Said registration book shall be ruled and printed substantially in the following form:

LAWS OF ARIZONA

Official Register of Electors for.....Precinct,
.....County, Arizona.

No.	Date	Name in Full	Voted	Occupation	Political Party	Age	Nativity
Declaration of Natural- ization		Residence and Post- Office Ad- dress	Oath	Reads English	Signature of Electors	Signature of Recorder	Remarks

The following form of oath shall be printed perpendicularly in the column headed "Oath:" "I, having been first duly sworn, say, upon oath, (or affirm) that I am a qualified elector, that I can read the Constitution of the United States in the English language, without being prompted or reciting from memory, and that the statements here entered opposite my name, as to my qualifications as an elector, are true."

2882. The following registration blanks designated as "Registration Blank A" and "Registration Blank B," shall be printed upon paper eight and one-half inches wide and fourteen inches long, with a blank margin of one inch on the left hand side of the blank, the back of which margin shall be gummed. They shall be furnished in pads of one hundred each.

REGISTRATION BLANK A.

STATE OF ARIZONA, }
 County of..... } ss.

I, the undersigned elector, do solemnly swear (or affirm) that my name and signature as signed below is my true name and signature. If I have not personally signed it, it is because..... and it was signed at my request by the attesting officer. My age is twenty-one years or over; occupation....., nativity.....; naturalized or declared my intention in.....court, in.....County,State, on....., 19....., as appears by the naturalization papers exhibited herewith; and I am affiliated with the.....party. That I am able to read the Constitution of the United States in the English language without being prompted or reciting from memory. Present residence is in.....precinct,.....County, Arizona, or at No.....Street, in the City of.....; that I will have resided in this State one year immediately preceding the next election.

In testimony whereof I sign my name three times.

(1).....
 (2).....
 (3).....

Elector.

Subscribed and sworn to by the elector before me this.....
 day of....., 19.....

Said elector has passed test of reading a section of the Constitution of the United States in English, is.....feet,.....inches tall, weighs approximately.....pounds, is of.....nationality,sex, and has the following other characteristics

(Signed).....

Registering Officer.

REGISTRATION BLANK B.

STATE OF ARIZONA, }
 County of..... } ss.

I, the undersigned elector, do solemnly swear that my name and signature as signed below is my true name and signature.

If I have not personally signed it, it is because.....; and it is signed at my request by the attesting officer. That while a

resident of.....precinct, in.....County,
 Arizona, I registered, but on.....day of....., 19.....,
 I moved my residence to.....precinct,.....
 County, Arizona, or to No.....Street, in the City
 of.....

I therefore request the cancellation of my registration in said
precinct,County, Arizona.

.....
Elector.

Subscribed and sworn to by the elector before me this.....
 day of....., 19.....

2883. It shall be the duty of every elector in the state of Arizona, between the first Monday in May, and the fifteenth day of October, 1914, and between the same dates biennially thereafter, to register with some notary public or justice of the peace, or with the county recorder of the county in which the elector resides, in accordance with this chapter.

2884. It shall be the duty of the county recorder in each county between the first Monday in May, and the fifteenth day of October, 1914, and between the same dates biennially thereafter, to enter upon the proper register every person who complies with the requirements of this chapter and claims to be an elector residing in the county. If the recorder refuses to enter the name of any qualified elector, such elector may proceed by mandamus to compel him to do so; provided, that the county recorder shall not register any elector during the period beginning ten days before and ending six days after the general biennial primary election; provided further, that this law shall not operate to prevent any additional registration of voters required by the charters or ordinances of any city or town.

2885. Every elector may be registered without charge by personally appearing in the office of said recorder and after being duly sworn, stating the following facts, which the recorder or his deputy shall appropriately enter in black ink, at first, in the general county register. The electors shall be numbered consecutively 1, 2, 3, etc., in each precinct as they are registered in the general county register. The recorder shall test the ability of the applicant for registration to read the English language, as in this chapter provided, and shall inquire of the said applicant and enter the following information in the general county register in the division set off for the precinct in which said applicant resides, to-wit:

- (1) The registration number of the elector;
- (2) The date of registering the elector;
- (3) The full name of the elector;

(4) Leave a blank space in which the judges of election shall enter in the precinct register the poll-book number of each elector when he voted;

(5) The business or occupation of the elector;

(6) The fact that the elector is of the age of twenty-one years or over;

(7) The county of nativity;

(8) If naturalized, the time, the place and court of naturalization, as evidenced by the legal proof thereof, exhibited by the elector;

(9) The political party affiliation;

(10) The actual and precise place of residence of the elector at the time of his registering, stating the precinct; and in cities and towns having streets specifying the name of the town or city, the street or other location or dwelling place of the elector, with the number of such dwelling, if the same has a number; if not, then with such description of the place that it can readily be ascertained and identified;

(11) The fact whether the applicant for registration has shown in the test given him by the recorder his ability to read the Constitution of the United States in the English language, as in this chapter provided;

(12) The fact whether or not the elector desiring to be registered is able to write his name and mark his ballot;

(13) The elector shall then next following the afore-administered oath, sign his name in the presence of the recorder, or the deputy acting, in the general register upon the same line where the preceding information is written, and the registering officer shall then sign his own name upon the said line, and add in the last column headed "Remarks" such physical description of the elector, giving his height, approximate weight, nationality, color, and any peculiarity that will tend to establish his identity, for the information of the judges of election. If the elector is registered by the recorder, in person, the recorder shall so sign his own name in attestation thereof, and if the elector is registered by a deputy, then, in addition to the name of the recorder, the particular deputy actually registering the elector shall sign his name, at length, in attestation thereof. If the elector declares he is unable to mark his ballot or sign his name he shall state why, and the recorder or his deputy, as the case may be, shall enter upon the register the reasons. If the elector's inability to sign is apparent, in consequence of some physical infirmity, such as blindness or loss of limb, incapacitating the elector for writing, he shall so state the fact.

2886. The recorder shall then enter in the separate precinct register of the particular precinct in which the elector resides every-

thing entered by him in general register. He shall arrange the names alphabetically, according to surname, in the separate precinct register, by the same number given the elector in the general register. The recorder or deputy shall then require the elector to sign his name, and, as in the general register, he shall attest the registration. The separate election precinct registers shall contain all the information concerning the elector contained in the general or county register, including the actual signatures of the elector, if able to sign, and the recorder's, or his deputy's, signature attesting such registration.

2887. Every elector may be registered by personally appearing at the recorder's office and complying with the provisions of this chapter, but if said elector is unable for any reason conveniently to register as aforesaid, he may register, without charge, before a notary public or a justice of the peace or recorder or deputy recorder in the county in which he resides by using one of the blanks designated as blank "A," signing it three times and meeting a similar test given him by said registering officer, as to his ability to read the Constitution of the United States in the English language as in this chapter provided, to that prescribed in Section 20 (Par. 2885) hereof as prescribed to be given by the county recorder, and filling out a blank in such a way as to afford all the information which he ought otherwise to give, to the recorder under Section 20 (Par. 2885), and in addition thereto making oath as specified in said blank "A," which shall be duly certified by the notary public or justice of the peace, recorder, or deputy recorder, and forthwith filed in the office of the county recorder of the county in which the elector resides. Such registering officer shall give the elector a duplicate of the certificate which said registering officer files with the county recorder. The county recorder shall supply such registration officers, upon request, with a sufficient number of said blanks "A" and "B" free of charge. But each notary public shall be entitled to receive from the county the sum of twenty cents for each elector so registered by him, whose affidavit has been duly filed with the county recorder. After each general election the board of supervisors shall audit such bills and order payment to be made in accordance herewith. Provided, that notaries public empowered under this chapter to register electors shall be appointed by the county recorder in each county.

If there shall be no justice of the peace or notaries public in any precinct the recorder shall appoint one or more special deputies to act as registering officers in any such precinct, who shall receive the same compensation provided in this section for notaries public.

2888. Upon receipt of said written application or affidavit of an elector for registration, if it is in due form and duly certified, the

recorder shall forthwith register the elector in the proper precinct in the general register, and also in the separate precinct register, in the same manner as if the elector had personally appeared in the recorder's office. The recorder shall cut out two of the signatures of the elector in said written application and paste them in the registers where the elector would have signed if he had applied in person, and file and preserve the written application in a paged file, noting upon the proper line in each registration book the page in said file where said written application is filed. The recorder or deputy acting shall attest each such registration entered by him.

2889. Every elector, upon changing his place of residence from the precinct of any county in which he is registered, may cause his former registration to be cancelled as to said precinct, by request in writing in duplicate to the registering officer of the precinct wherein he is registered, or the county recorder of such county, imparting the information called for in blank "B," signing his name to each copy, and by the said elector swearing to the truthfulness of the statement before someone authorized to administer oaths. And it shall be the duty of said registering officer or the county recorder, to cancel such registration as to said precinct, and to issue to the elector a certificate of such cancellation substantially in the form of blank "B" duly signed by the elector and certified by the registering officer, and if said certificate is issued by a registering officer other than the county recorder, such registering officer shall, without delay, transmit to the county recorder of the county in which the elector is registered the duplicate copy of the elector's statement. Upon receipt of such duplicate statement, the county recorder shall compare the signature of the elector with his signatures upon the registers, and if satisfied of the genuineness of the same, he shall file his communication and said duplicate certificate and page the same, and then in each of the registers, in red ink, opposite the name of said elector write "cancelled as to said precinct," and the number of the page where said communication and duplicate certificate are filed, and attest said cancellation by signing his own name.

Any elector holding such certificate, if issued less than thirty days prior to an election, shall, by presentation thereof, be entitled to vote in any other precinct of the county in which he is registered for candidates for all offices, except for precinct offices, and he shall so fold his ballot as to permit the election officers to determine that he is voting only for candidates for such offices and upon such questions as he is permitted by law to vote for or upon; or, if said elector removes to, and becomes a resident of a precinct of another county of the state thirty days or more prior to an election, he shall, upon presentation of such certificate, be entitled to vote therein for candi-

dates for all offices to be elected therein; but if he becomes such resident less than thirty days prior to an election, he shall, upon presentation of said certificate, be entitled to vote for all candidates other than candidates for county and precinct offices; provided, however, that before voting the holder of such certificate shall take and subscribe the oath required by Section 42 (Par. 2907) of this chapter; and provided further, that the certificate herein defined shall not apply to local option elections.

Any elector voting under such certificate shall, at the time of voting, file the same with the officers of such election, and the election officers shall transmit same with the election returns to the county recorder.

And the county recorder of each county of the state is hereby required, immediately upon the expiration of the time for registering, to notify, by proper certification, the county recorders of all other counties of the state of all cancellations of registration that have been made by him.

2890. In the event that a new precinct is created during the period of registration, or after such period, the recorder shall make for such new precinct a copy of each precinct register of all the precincts from which such new precinct is created.

2891. No person shall register who is not a qualified elector of the precinct in which he registers and who is not a resident thereof, or register in a name other than his true name, and no elector shall register a second time in the same precinct, or register in any other precinct until his first registration has been cancelled, as provided in Section 24 (Par. 2889) of this chapter.

2892. It shall be the duty of each recorder or elector present to challenge any person offering to register whom he shall know or suspect not to be qualified as an elector. Upon challenge being made, the one so challenged may, if he so elect, be at once sworn to answer fully and truly all such questions as may be put to him by the registering officer touching his qualifications as an elector. And if such challenge be upon the ground that the party challenged cannot read the Constitution of the United States in the English language, he shall be required to read a section from the Constitution of the United States selected by lot in such a manner as to show that he is not being prompted or reciting from memory; provided, that the secretary of state shall supply to the board of supervisors in the several counties enough copies of the Constitution of the United States printed by sections in the English language in plain type on cards (one section to each card) to provide one copy of said Constitution for each precinct, one set of which said cards the boards of

supervisors shall send to the precincts, together with the election supplies; and provided further, that in case of challenge said cards shall be placed loose in some container and shaken, and the person challenged shall be required to draw one of the cards therefrom at random without being given an opportunity to see what card he is drawing, and required to read the section of the Constitution of the United States printed thereon. If he cannot so read, or if he shall refuse to answer fully any questions touching his qualification as an elector which are put to him by the registering officer, the registering officer shall refuse to register him. The qualifications of the applicant as an elector shall be determined in the first instance by the registering officer from the evidence produced before him, and if he find the applicant disqualified to vote at the next election, he shall reject the application; but if he finds him qualified, he shall register him. If rejected, the name and place of alleged residence of each applicant for registration, and the date when rejected, shall be entered in a separate list for each precinct, kept by the registering officer.

2893. Any elector of the state of Arizona who is out of the state at the time when voters are required to register may register before a notary public in the state in which he may be at the time by using one of the blanks designated as blank "A" and filling out the blank in such a way as to afford such information as he ought otherwise to give the recorder, and in addition thereto, signing his name three times and making oath thereto, as specified in said blank, which shall be duly certified by the notary public and filed with the county recorder of the county in which the elector resides.

In like manner any elector of the state of Arizona who is in a foreign country at the time the voters are required to register may register before a consul, vice-consul or consular agent or notary public in such foreign country. And any voter who is out of the county of his residence at the time voters are required to register may register before any justice of the peace or notary public in the county where such voter may be. .

Upon filing of such blank, filled out and certified as aforesaid, the county recorder shall enter the name of the elector upon the general county register of the county and proceed in the same manner as if the elector had registered before a notary public or justice of the peace in the county.

2894. The county recorder shall close all books of registration for the period of seventeen days at five o'clock p. m. on the tenth day before the regular general primary election in 1914, and biennially thereafter, by writing the words, "Closed for seventeen days," in red ink, on the line next below the last elector registered in each pre-

cinct of the general register. He shall then immediately in the indexed pages in the general register, opposite the name of each precinct, in writing certify the number of electors registered in each precinct subject to the provisions of the primary election law, and sign his name and title, and affix the seal of the county thereto; and he shall immediately send to the secretary of state, by telegraph, if necessary, a certified copy of the numbers and total of the electors registered for his county; he shall likewise close the books of the precinct registers, and certify in each of the precinct registers the total number of electors registered in each precinct, subject to the primary election law, and not cancelled, and sign the same with his official title and affix the seal of the county thereto. All of said registers shall be re-opened by the recorder on the sixth day following the said general primary election and biennially thereafter, and remain open until the fifteenth day of October, 1914, and biennially thereafter, when they shall be finally closed for the ensuing election in the manner above provided.

2895. The said registers shall all be public records. The general register of the county shall be kept in the office of the county recorder as other public records are kept. Every citizen shall be allowed to examine the general county register, and each of the precinct registers while they are in the custody of the county recorder, and to make copies or extracts therefrom without charge to him. The several precinct registers shall be sent to their respective precincts, together with a suitable supply of the said registration blanks "A" all sealed, the same as other stationery and supplies are now forwarded to the judges of each precinct.

2896. Any county recorder of any county, or any deputy, or any judge or clerk of election, or any justice of the peace or notary public, who shall wilfully disregard any of the provisions of this chapter, or who shall wilfully fail to perform or enforce any of the provisions of this chapter, or any person who shall wilfully or fraudulently register more than once, or register under any but his true name, or attempt to vote by personating another who is registered, contrary to the provisions of this chapter, or knowingly register in any precinct where he is not a resident at the time of registering, upon conviction, shall be punished by imprisonment in the state prison not less than one year nor more than three years, or by fine not less than one hundred dollars nor more than two thousand dollars, or by both such fine and imprisonment. Any person who shall falsely swear to any affidavit required by this chapter shall be deemed guilty of perjury, and upon conviction thereof shall be punished accordingly.

2897. The recorder shall cancel the entry in the following cases:

(1.) At the request of the party registered when he has changed his residence, as provided by law.

(2.) When he knows of the death or removal of the person registered.

(3.) When the insanity of the person registered is legally established.

(4.) When the one registered has been convicted of a felony, and the judgment of conviction has not been reversed or set aside.

(5.) Upon the production of a certified copy of a judgment directing the cancellation to be made.

(6.) Upon a certificate of the board of election of any precinct, sent up with the election returns, stating the death or removal from the county within their own knowledge of the person registered.

(7.) Every judge before whom proceedings were had which result in any person being declared incapable of taking care of himself and managing his property, and for whom a guardian of his person and estate is accordingly appointed, or which result in such person being committed to the state asylum for the insane as an insane person, shall file with the county recorder a certificate of that fact, and thereupon the recorder shall cancel the name of such person upon the register, if found thereon.

2898. Upon the application of the party in person or in writing, the recorder must give him or his agent a certified copy of the entries upon the register relating to such party.

2899. Upon demand first being made in writing therefor, and his refusal so to do, then any person may proceed by action in the superior court to compel the recorder to cancel any entry made on the register illegally, or that ought to be cancelled by reason of facts that have occurred subsequent to the time of such entry, but if the person whose name is sought to be cancelled be not a party to the action, the court may order him to be made a party defendant.

2900. A certified copy an uncancelled entry upon the register is prima facie evidence that the person named in the entry is an elector of the county.

2901. No person shall be entitled to vote at any election unless his name appears upon the register for the precinct in which he offers to vote, except as otherwise provided by law.

2902. The board of supervisors shall furnish the county recorder all necessary assistance to enable him to carry out the provisions of this chapter.

CHAPTER IV

CERTIFICATES OF REGISTRATION

2903. Any qualified elector, under the election laws of the State

of Arizona, whose name appears upon the general county register of any county in the State of Arizona, and who has not cancelled his registration as to a precinct as provided by law, may demand of the county recorder of the county in which he is registered a certificate of registration, and upon such demand, said county recorder shall issue to said elector a certificate of registration as provided in this chapter, and any county recorder who shall refuse or neglect to issue such certificate of registration upon the demand of any qualified elector, as provided herein, shall be guilty of a misdemeanor.

2904. Such certificate of registration shall be issued under the seal of the county recorder and shall be signed by the said county recorder, or his deputy, and by the elector demanding the certificate of registration, who shall state in the presence of the county recorder, or his deputy, under oath that he is the qualified elector in whose name he seeks to have the certificate of registration issued.

2905. Every certificate of registration issued under the provisions of this chapter, shall be issued in duplicate, one copy to be retained as a permanent record of the county recorder's office issuing the same, and one copy to be delivered to the elector demanding it.

2906. The certificate of registration herein provided for shall be substantially in the following form and words:

CERTIFICATE OF REGISTRATION.

.....County, Arizona.
 I,....., County Recorder of.....
 County, Arizona, do certify upon demand of.....
 whose name appears upon the general county register of said county,
 that he is a duly qualified elector, and I hereby issue this certificate
 to said.....and certify that said
is a (man or woman) of.....
 feet,inches in height, color of eyes.....complexion
, nationality....., weight.....,
 age.....years, member of the.....party;
 and that he or she has signed this certificate in my presence.

.....
 County Recorder.

.....
 Elector.

(SEAL)

Upon the reverse of said certificate shall appear the form and words:

We, the undersigned, members of the election board of
precinct,County, State of Ari-
 zona, do hereby certify that on the.....day of.....

at.....M., of said day,....., the
elector named on the face of this certificate of registration, presented
.....self in person at the above named precinct, and after
making oath that he or she was a qualified elector whose name ap-
pears upon the fact of this certificate of registration, did cast.....
ballot in this precinct as provided by law.

.....
Inspector.
.....
Judge.
.....
Judge.
.....
Clerk.
.....
Clerk.

.....
(Signed by elector on date of voting and in the presence of the
election board.)

2907. The holder of a certificate of registration issued in ac-
cordance with the provisions of this chapter shall be entitled to vote,
subject to challenge, in any precinct in the State of Arizona in
which he presents himself upon the date of any election of state
officials of or representative in congress, or of United States senator
or presidential electors, provided he makes the following oath before
the election board of the precinct in which he desires to vote:

“I, being first duly sworn, state upon oath that
I am the identicalnamed in the certificate of
registration presented herewith by me; that I have not previously
voted in this election at any precinct within the State of Arizona and
that I am legally entitled to vote in the County of.....,
State of Arizona.

Upon making the foregoing oath, and presenting said certificate
of registration to the election board, the elector shall be allowed to
vote, subject to challenge, provided, that he may not vote for can-
didates for the legislature, superior court judge, or county or pre-
cinct offices in any county except the county of his registration;
and, in the county of his registration, for any candidate for precinct
office, except in the precinct of his registration; and, provided
further, that he so fold his ballot as to permit the election officers to
determine that he is voting only for the candidates for such offices
as he is permitted to vote for under the provisions of this chapter,
and for or against such questions as appear upon the ballot. The
members of any election board who shall violate any of the pro-

visions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars.

2908. The county recorder, on issuing any certificate of registration, shall write in red ink over the registration of the elector in the general county register and the respective precinct register, the words, "certificate issued," together with the date.

2909. Any person who shall make a false oath in order to vote under the provisions of this chapter, shall be guilty of a felony, and upon conviction thereof before a court of competent jurisdiction shall be punished by imprisonment for the period of one year, and shall also forfeit his rights of citizenship for a period of five years from the date of his conviction.

2910. The attempted use of a fraudulent certificate of registration shall be a felony, and upon conviction thereof, the person so convicted shall be subject to the penalties provided in the preceding section of this chapter.

2911. Any county recorder, or other public officer of the State of Arizona who issues, or causes to be issued, or connives at the issuance of any false or fraudulent certificate of registration shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment for three years, and shall forfeit his rights of citizenship for a period of five years, in addition to the forfeiture of his office.

2912. Any certificate of registration issued under the provisions of this chapter at the time the lawful holder thereof offers to vote by virtue thereof, shall be delivered to the election board of said precinct, and shall be filed by said board, together with the returns of said election with the county board of supervisors.

CHAPTER V

ELECTION PRECINCTS

2913. The board of supervisors of each county must, prior to each general election, establish a convenient number of election precincts therein, and define the boundaries thereof when possible.

2914. The board must, at least fifteen days prior to an election, issue its order designating the house or place within each precinct where the election must be held.

Johnstone vs. Robertson, 8 Ariz. 361—76 Pac. 465.

Chenoweth vs. Earhart, 127 Pac. 748.

2915. If the board fails to designate the house or place for holding the election, or if it cannot be held at the house or place designated, the justice of the peace in the precinct must, two days before the election, and by an order under his hand (copies of which he must at once post in three public places in the precinct) designate

the house or place, or if there be no justice of the peace there, the election board, by similar notices posted as in this section provided, may designate the place.

Johnstone vs. Robertson, 8 Ariz. 361—76 Pac. 465.

CHAPTER VI BOARD OF ELECTIONS

2916. When an election is ordered, the board of supervisors must appoint for each precinct, from the electors thereof, one inspector and two judges, who constitute a board of election for such precinct.

2917. The county board of supervisors shall at their June meeting next preceding a general election appoint one inspector and two judges of election, who shall be qualified voters of such precinct for which appointed, and who are members of different political parties and of the parties which cast the highest number of votes in the state at the last preceding general election; provided, that if at least one week or more prior to such election the chairman of the county central committee of either of the two parties that cast the largest number of votes in the state at the last general election shall designate a member of such party as judge, having the same qualifications as above described, he shall be appointed, and such judges, together with the inspector, shall constitute a board of election; provided further, that no United States, state, county, nor precinct officer, nor any candidate for office at such election, shall be qualified to act as judge, inspector, or clerk at any election held in this state. It shall be the duty of the board of supervisors of each county in the state to take charge of all election paraphernalia and care for the same.

At least ten days before any special election, the board of supervisors shall in like manner appoint a board in each precinct to act at such election.

2918. If the board of supervisors fail to appoint the board of election, or the members appointed do not attend at the opening of the polls on the morning of the election, the electors of the precinct present at that hour may appoint the board or supply the place of an absent member thereof.

2919. The inspector is chairman of the election board, and may:

- (1.) Administer all oaths required in the progress of an election.
- (2.) Appoint judges and clerks if, during the progress of the election, any judge or clerk ceases to act.

2920. Any member of the board or clerk thereof may administer and certify oaths required to be administered during the progress of an election.

2921. At the time of appointing the inspector and judges, the board of supervisors shall appoint two electors who shall not be

members of the same political party to act as clerks of election in each precinct. If the board of supervisors fail to appoint such clerks, they may be appointed by the board of election at the time of the opening of the polls.

2922. Before opening the polls, each member of the board and each clerk must take an oath to faithfully perform the duties imposed upon him by law. Any elector of the precinct may administer and certify such oath.

CHAPTER VII

OFFICIAL BALLOTS

2923. All ballots cast in elections for public office within this state shall be printed and distributed at public expense. The printing of ballots and cards of instructions for the voters in each county, and the delivery of the same to the clerks and election officers, as hereinafter provided, shall be a county charge, the payment of which shall be provided for in the same manner as the payment of other county expenses; but the expense of printing and delivering the ballots and cards of instructions to be used in local elections shall be a charge upon the city or town in which such local election shall be held.

2924. Candidates for public office to be filled by elections within this state shall be nominated in the manner provided by the laws relating to primary elections.

2925. It shall be the duty of the several county boards of supervisors, and town and city recorders or clerks of this state to prepare and provide, as hereinafter prescribed, ballots printed on white, paper, containing the names of all persons, certificates of whose nominations for public office has been filed with them as provided in this title. The ballots to be printed by the several county boards of supervisors shall be printed and ready for inspection by the candidates and their agents at least ten days before a general election. The ballots to be provided by the several city, or town recorders or clerks shall be printed and ready for inspection at least five days before election. Except as herein otherwise directed the board of elections, in counting, canvassing, certifying and returning the votes cast at any election, shall proceed as now required by law; provided further, that at each polling place one challenger for each respective political party shall be allowed to be present and act, but such challengers shall not be permitted to enter any of the booths.

2926. All ballots shall be printed with black ink on white paper of sufficient thickness to prevent the printing thereon from being

discernible from the back, and the same type shall be used for the names of all candidates.

2927. All ballots to be used at any election shall be headed "Official Ballot" in heavy faced plain letters, not smaller than long primer nor larger than great primer, with a heavy rule above and below the same. Immediately below shall be placed the words, "Election, (date of election)," and immediately below these words shall be placed the name of the county and the name or number of the precinct in which the election is held. No other matter shall be placed or printed at the head of any ballot.

2928. At the top of the ballot and above the heading, there shall be a stub which shall contain the words, "Stub No. To be torn off by inspector." The stub shall be separated from the ballot by a perforated line, so that the stub can be easily detached from the ballot.

2929. All proposed constitutional amendments or other propositions or questions to be submitted to the voters shall be printed at the bottom of the ballot, in such order as the secretary of state may designate, and each such amendment, proposition or question shall be followed by the words "yes" and "no" or "For....." and "Against....." as the nature of the amendment, proposition or question may require, and at the right of and opposite each of such words shall be placed a square of the size of those placed opposite the names of candidates, in which the voter may indicate his vote for or against such amendment, proposition or question by a mark (X).

2930. Immediately below the heading shall be placed the names of candidates for judges of the supreme court and superior court. The names of such candidates shall be placed in a single column in the center of the ballot and the names of the candidates shall be placed in alphabetical order without partisan or other designation except the title of the office. Immediately below the names of the candidates for judges there shall be placed in columns the names of the candidates of the several political parties. At the top of each column shall be printed the name of the political party, which shall be printed in bold faced letters, and immediately below such name there shall be a square of the size hereinafter provided, and below such columns and running across the ballot a heavy line, below such line shall be printed in each column the names of the candidates of each of said parties for the several offices, at the head of each column shall be printed the names of the candidates for presidential electors, followed by the names of the candidates for United States senator, then by the names of the candidates for representatives to congress, then the names of the candidates for the several state

offices, then by the names of the candidates for the several county and precinct offices. At the left of the several columns shall be printed the head "Name of office to be voted for," and immediately below, the name of the office to be filled.

The square at the top shall be a thirty-six point square, and above and below the same shall be printed the following words:

Vote straight

{ ☐ }

ticket here.

Candidates for the office of state senator and state representative shall, for the purpose of determining their position on the ballot and the rights of persons to vote for them, be deemed candidates for county offices, and their names shall be printed among the candidates for county offices.

If candidates for the office of county supervisors are nominated from supervisorial districts, the number of the district from which each candidate was nominated shall be printed in [brackets] immediately to the right of his name, as:

"For supervisor. John Doe, [3rd District]."

2931. The lists of the candidates of the several parties shall be arranged with the names of the parties in alphabetical order, commencing with the left hand column, but on the right hand side of the ballot there shall be a column headed non-partisan.

2932. The official ballots shall be in substantially the following form:

In each column at the right of the name of the candidate and on the same line there shall be a space so enclosed by rule work as to make a square three-eighths of an inch in size, in which a voter may designate his choice by a cross mark. Below the name of the last named candidate for each office in each column shall be placed as many blank lines as there are offices of the kind to be filled, and in like manner a square shall be placed after such blank space. Upon such blank lines the voter may write the names of any person or persons for whom he desires to vote whose names are not printed, and in the squares opposite the same, he shall designate his choice by a cross mark as in the case of printed names.

2933. There shall be placed immediately below the designation of the office the words, "Vote for one (or more, according to the number to be elected)."

2934. When the presidential electors are to be voted for, the candidates of each party therefor shall be grouped and printed together, the names in each group to be arranged in alphabetical order, and the entire group of electors of each party shall be enclosed in a

OFFICIAL BALLOT

Precinct No. ELECTION 191 County.

JUDICIAL OFFICES

For JUDGES of the SUPREME COURT

Vote for three

FOR JUDGE OF SUPERIOR COURT

Vote for one

OFFICE TO BE VOTED FOR	DEMOCRATIC Vote straight ticket here	PROGRESSIVE Vote straight ticket here	PROHIBITION Vote straight ticket here	REPUBLICAN Vote straight ticket here	SOCIALIST Vote straight ticket here	INDEPENDENT Vote straight ticket here	NON-PARTISAN Vote straight ticket here
FOR PRESIDENTIAL ELECTORS	JOHN DOE } JOHN POE } WILSON JOHN ROE }	JOHN DOE } JOHN POE } ROOSEVELT JOHN ROE }	JOHN DOE } JOHN POE } CHAPIN JOHN ROE }	JOHN DOE } JOHN POE } TAFT JOHN ROE }	JOHN DOE } JOHN POE } DEBS JOHN ROE }	JOHN ROE } JOHN POE } JONES JOHN DOE }	
FOR MEMBER OF CONGRESS	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	

STATE OFFICES

FOR GOVERNOR Vote for one	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	
FOR SECRETARY OF STATE Vote for one	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	
FOR CORPORATION COMMISSION Vote for three	JOHN DOE JOHN ROE JOHN POE	JOHN DOE JOHN POE JOHN ROE	JOHN DOE JOHN POE JOHN ROE	JOHN DOE JOHN POE JOHN ROE	JOHN DOE JOHN POE JOHN ROE	JOHN DOE JOHN POE JOHN ROE	
Etc.							

COUNTY OFFICES

FOR SHERIFF Vote for one	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	
Etc.							

PRECINCT OFFICES

FOR CONSTABLE Vote for one	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	
Etc.							

PROPOSED BY INITIATIVE PETITION			PROPOSED AMENDMENTS TO THE CONSTITUTION			REFERRED TO THE PEOPLE BY THE LEGISLATURE			REFERENDUM ORDERED BY PETITION OF THE PEOPLE		
102	Yes	X	202	Yes	X	Yes			302	Yes	X
103	No		203	No					303	No	
						No					

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scroll or bracket to the right and opposite the center, on which shall be printed in bold type the surname of the presidential candidate represented. To the right of and on a line with such surname shall be placed a square in which the voter may indicate his choice by a cross mark, and one such mark opposite a group of presidential electors shall be counted as a vote for each elector in such group.

2935. The proposed constitutional amendments, initiative or referendum measures, or other propositions or questions to be submitted to the voters shall be printed on the ballot after and below the names of the candidates for precinct offices.

2936. The official ballots shall be bound together in blocks of not less than twenty-five nor more than one hundred.

2937. At least five sample ballots printed on muslin or cloth, but in all other respects the same as official ballots, shall be provided by the officers whose duty it is to print and distribute the official ballots for each precinct, and such sample ballots, together with the cards of instruction hereinafter mentioned, shall be delivered to the election officers, and such officers shall cause the same to be posted in conspicuous places in each precinct before the opening of the polls at such primary election. one of which sample ballots shall be posted within the place where the said primary election is held, and one in some convenient place immediately outside.

2938. The officers charged with the duty of printing and distributing the official ballots shall also cause to be printed and distributed for the information of voters at each precinct, such number of sample ballots as they may deem necessary, not to exceed five per centum of the number of regular ballots printed for the several political parties at the precinct. Such sample ballots shall be printed only on colored paper.

2939. Immediately before the names of the candidates for judges of the supreme court shall be printed in bold type the words, "For judge (or judges) of the supreme court; vote for one (or more as the case may be)." Above the names of the candidates for judge of the superior court, there shall be printed in bold type the words, "For judge of the superior court; vote for one."

2940. Any person desiring to vote for all the candidates of any political party may do so by placing a cross in the square at the top of the column under the name of such party, otherwise he may vote for any candidate by placing his cross in the square opposite the name of such candidate.

2941. The board of supervisors shall furnish, to be placed in each booth, a card, or poster, printed in the English language in large plain type, on which the following shall appear:

NOTICE TO VOTERS

If you wish to vote a straight ticket put an "X" in the square at the top of the column under the name of the party for whose candidates you wish to vote.

If you not do wish to vote a straight ticket put an "X" in the square after the name of each candidate that you wish to vote for.

If you wish to vote for a person whose name is not printed on the ballot, write such name in the blank space opposite the office he is a candidate for, and put an "X" in the square opposite the name so written.

Put an "X" opposite the name of each candidate for judge of the supreme court, or judge of the superior court for whom you wish to vote. The straight ticket does not include candidates for judges.

2942. There shall be printed for and furnished to each polling place at which an election is to be held, a number of ballots—at least three times the number of registered voters whose names appear on the precinct register for the precinct.

2943. The several boards of supervisors, and clerks of said boards, whose duty it is to print and furnish the official ballots at any election, shall prepare instructions for the guidance of voters at such election in regard to obtaining ballots, manner of marking them, and method of obtaining assistance in marking ballots, and as to obtaining new ballots in place of those accidentally destroyed, which cards of instructions shall be in substantially the following form:

INSTRUCTIONS TO VOTERS

(1.) On entering the polls each voter will give his name in full, and his place of residence, to the judge having charge of the ballots. The inspector, or one of the judges or clerks will then ascertain if the name of the voter appears on the precinct register, and, if so, the voter will be given a ballot on the stub of which will be written the initials of the judge delivering the same, and the register number of the voter.

(2.) The voter will then repair to a booth provided for that purpose, and there mark or stamp his ballot. If he wishes to vote a straight ticket he may place a cross in the square at the top of the column under the name of the party and for whose candidate he wishes to vote, otherwise he will mark his ballot with an "X" in the square opposite the name of each candidate whose name is printed on the ballot for whom he desires to vote.

(3.) If the voter desires to vote for any person whose name is not printed on the ballot, he will write the name of such person on the plank lines immediately below the names of all the candidates printed on the ballot for the particular office for which he desires to

vote for such person, and mark the same with an "X" in the square opposite such blank line.

(4.) If the voter, by reason of infirmity, or for any reason, is physically unable to mark his ballot, he may obtain the assistance of two judges of opposite political parties in marking the same. Whenever any voter shall, for any such reason, request assistance in marking his ballot, two judges, not of the same political party, shall accompany him to the booth, and there very distinctly state to him the names of the several candidates for each office, and the political parties by which they were nominated, and shall ask the voter for what candidate he desires to vote, and shall thereupon mark his ballot correctly. Neither of the judges shall in any way attempt to influence the voter in his choice of candidates, nor in any wise suggest or recommend that he vote for any particular candidate, or for the candidate of any political party.

(5.) If any voter shall accidentally spoil his ballot, he shall present the same so folded as to conceal any marks thereon, to the judge having charge of the ballots, who shall thereupon, without opening such spoiled ballot, deliver to the voter another ballot, and the spoiled ballot shall thereupon be strung upon a string, without opening, and returned with the other returns of the election. This process may be repeated until the voter has received three ballots, but no more.

The board of supervisors shall furnish to the inspector in each election precinct at least five of such cards, at the time and in the same manner as the printed ballots are furnished. Such inspector, before the opening of the polls on election day, shall post one of said cards of instruction and one sample ballot in plain view in the room where the ballots are cast, and at least four of said cards and four sample ballots in and about the polling place. The board shall also cause to be printed such number of sample ballots printed on colored paper as they may deem necessary.

2944. The several boards of supervisors, recorders and clerks aforesaid shall deliver or cause to be delivered, by mail or other reliable method, to the inspector aforesaid, one package containing a number of ballots, not fewer than three times the number of voters whose names appear on the precinct register as voters of the district, precinct, county, town or city for which they are printed. Such official ballots shall be delivered to such inspector at least forty-eight hours before the hour for opening the polls on election day, unless prevented by some unavoidable delay or accident, to be established by affidavit of election officers or bearers of ballots. Said official ballots shall be sent in sealed packages, with marks on the outside of such package clearly designating the polling place for which they

are intended, and the number of ballots enclosed. Such inspector shall, on delivery to him of such package, return receipts therefor to the board of supervisors, recorder or clerk from whom received.

CHAPTER VIII

CONDUCT OF ELECTIONS

2945. The polls shall be opened in every precinct at six o'clock A. M. on the day of election, and shall be closed at six o'clock P. M. The inspector shall cause the election marshal to make proclamation of the opening of the polls; also to make proclamation of the closing of the polls one hour and thirty minutes before closing; fifteen minutes before closing; and at the moment of closing the polls. The inspector and two judges shall determine between them when the hour for closing the polls has arrived; provided, that any person who may at the moment of closing be within the polling place shall be allowed ten minutes in which to fill out and deposit his ballot, the same as if the polls were still open.

2946. On the opening of the polls at each polling place, the inspector shall produce the sealed package of official ballots and publicly open it and deliver one book or block of ballots therein contained to the judges herein provided for. The other blocks or books of ballots, if any, shall be retained by the inspector until they are called for by the judges and needed for the purpose of voting.

2947. Before receiving any ballots the board must, in the presence of any persons assembled at the polling place, open and exhibit and close the ballot box; and thereafter it must not be removed from the polling place or presence of the bystanders until all the ballots are counted, nor must it be opened until after the polls are finally closed.

2948. Before the board receive any ballots, they must cause it to be proclaimed aloud at the place of election that the polls are open.

2949. Voting may commence as soon as the polls are opened, and may be continued during all the time the polls remain open.

2950. At least ten days before any election to be held in this state, the board of supervisors shall appoint not less than two or more than four persons to act and be known as clerks for each polling place within their jurisdiction. An equal number of such clerks shall be appointed from the two opposing political parties casting the highest number of votes at the last preceding election.

2951. In addition to the officers and clerks specified in this title, the board of supervisors shall appoint an election marshal. The election marshal shall be a qualified voter, and his name must be upon the precinct register to be eligible for the office. He shall

also preserve order at the polls during the hours which they are open; shall permit no violation of the election laws of the state, in so far as such violation may come to his notice. For the purposes of this title the election marshal shall be clothed with the powers and authority of a constable, and his term of office shall begin with the opening of the polls, and expire when the count of the ballots has been completed. And it is made the duty of the inspector to see that the election marshal strictly enforces the provisions of the election laws, and especially that part relating to trespassers within the fifty-foot limit. Said marshal shall be allowed the sum of three dollars by the board of supervisors for his whole service, and for this duty the board may, at its discretion, appoint any sheriff, deputy sheriff or constable as election marshal, who shall be paid the three dollars hereinbefore mentioned for such service.

2952. Before opening the polls, the election marshal shall post three notices about fifty feet from the entrance of the building, in different directions, in which the election is being held, which notice shall read:

FIFTY-FOOT LIMIT

And except for the purpose of voting, no other persons shall be allowed to remain inside these limits while the polls are open but the before mentioned election officials and not more than one representative of each political organization represented on the ballot, such representative to be one of three appointed by the chairman of the local committee of such political organization. And voters having cast their ballot shall at once retire without the fifty-foot limit. And any and all persons violating any of the provisions of this section shall be guilty of a misdemeanor. And the board of supervisors shall furnish with the ballots for each precinct and polling place five notices as required by this section, which shall be printed on muslin in letters not less than two inches high.

2953. The board of supervisors shall cause the polling place to be suitably provided with a sufficient number of voting booths or compartments furnished with convenient shelves on which voters may conveniently mark their ballots, and in the marking thereof be screened from the observation of others, and such booths shall be supplied with proper conveniences, including pens, pen holders, ink, blotting paper, and pencils, as will enable the voter to prepare his ballot for voting. A guardrail shall be so constructed and placed that only persons as are inside of said rail can approach within six feet of the ballot boxes or such voting booth or compartments. The arrangements shall be such that neither the ballot boxes nor the voting booths or compartments shall be hidden from view of those just outside the guardrail. Each booth or compartment shall be at

least three feet square and contain a shelf at least one foot wide extending across one side of such booth or compartment at a convenient height for writing. No person other than the election officers and voters admitted as hereinafter provided shall be permitted within said guardrail, except by authority of the election officers for the purpose of keeping order and enforcing the law. The officers charged with providing booths or compartments shall also furnish for each polling place the required ballot boxes, with locks, which shall be large enough to properly receive and hold the ballots cast for candidates for office in conformity with the provisions of this title.

2954. One of the judges of election shall keep the ballots within the polling place and in plain view of the public, and deliver them only to qualified voters. Every qualified voter, before receiving his ballot, shall announce his name and place of residence in a clear, audible tone of voice to the judge in charge of the ballots, or present his name and residence, in writing, and if such name is found upon the precinct register by the election officer having charge thereof, or the voter presents a certificate as provided by law, showing that he is entitled by law to vote in the precinct, he shall repeat the name, and the voter shall be allowed to enter the space enclosed by the guardrail; his name shall be entered by the poll clerks, and each voter's name shall be numbered consecutively by the poll clerks, with the number upon the stub of the ballot delivered to him, and in the order of the respective applications for ballots; the judge having charge of the ballots shall also write his initials upon said stub and the voting number of such voter as it appears upon the precinct register, and such judge shall give him one, and only one, ballot, and his name shall be immediately checked on the precinct register.

2955. On receiving his ballot the voter shall forthwith, and without leaving the polling place or going outside of said guardrail, retire alone to one of the booths or compartments not occupied by any other person, and prepare his ballot by placing a cross (X) opposite the name of the candidate of his choice for each office to be filled, or by filling in the name of the candidate of his choice in the blank space provided therefor and marking a cross opposite thereto; and in case of a question submitted to the vote of the people, by marking in the appropriate margin or space a cross (X) opposite the answer which he desires to give. Before leaving the booth or compartment, the voter shall fold his ballot lengthwise and crosswise, but in such a way that the contents of the ballot shall be concealed and the stub can be removed without exposing any of the contents of the ballot, and shall keep the same folded until he has delivered the same to the inspector as in this section provided. After the

ballot is so folded and so delivered to the inspector, or judge acting as such, the inspector or judge shall receive the ballot and before depositing it in the ballot box must, in an audible tone of voice, announce the name and stub number of the ballot of the person voting, and such inspector shall, in the presence of the election board, thereupon remove the stub without opening the ballot and deposit the ballot in the ballot box, and string the stub upon a string to be provided for that purpose. The voter shall then proceed outside the guardrail by the exit thereof, and shall not again enter such enclosed space during such poll unless he is an election officer. No voter shall be allowed to occupy a voting booth or compartment for more than five minutes when other voters are waiting to occupy the same. No inspector shall receive any ballot from any voter unless the stub remains attached to the ballot.

2956. No person shall take or remove any ballot from the polling place before the close of the polls. If any voter spoil a ballot he may successively obtain others, one at a time, not exceeding three in all, upon returning each spoiled one. Each spoiled ballot shall be folded by the voter so as not to disclose any marks thereon, and upon the same being returned, the inspector and one of the judges shall write thereon the words "Returned spoiled," and sign their names thereto, and shall thereupon, without opening such spoiled ballot, string the same upon a string to be provided for that purpose, and return the same with the stubs of voted ballots to the board of supervisors, or the city or town clerk from whom the ballots were originally received.

2957. Each clerk must keep a list of persons voting, and the name of each person who votes must be entered thereon and numbered in the order of voting.

2958. Should any voter, on account of physical inability be unable to mark his ballot, he may request assistance in marking the same; upon such request being made, two judges, not of the same political party, shall repair with the voter to a booth and shall thereupon mark the ballot in accordance with the directions of the voter; neither of the judges shall in any way attempt to influence the voter in his choice of candidates, nor suggest or recommend that he vote for any particular candidate or the candidate of any political party.

2959. If the voter marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office. No ballots without the official endorsement shall, except as herein otherwise provided, be allowed to be deposited in the ballot box, and none but ballots provided in accordance with the provisions of this title shall be counted. Bal-

lots not counted shall be marked defective on the backs thereof, and be preserved and returned to the board of supervisors or recorder or clerk from whom received as hereinbefore provided.

2960. A person offering to vote may be orally challenged by any elector of the county upon either or all of the following grounds:

(1.) That he is not the person whose name appears upon the register.

(2.) That he has not resided within the state for one year next preceding the election.

(3.) That he has not resided within the county or precinct for thirty days next preceding the election.

(4.) That he has voted before that day.

(5.) That he has been convicted of a felony.

(6.) That he has made a bet on the result of the election.

(7.) That not being prevented by physical disability from doing so, he is unable to read the constitution of the United States in the English language in such manner as to show he is neither prompted nor reciting from memory or is unable to write his name.

2961. Upon challenge being made, the one so challenged, if he appears to be registered, shall take and subscribe to the oath prescribed in blank "A" and, if he so elect may be at once sworn to answer fully and truly all such questions as may be put to him by the inspector; provided, such questions are pertinent and material to the challenge made; and if, after such examination, a majority of the board shall be satisfied that the challenge is not true, the one challenged shall be permitted to vote, else not, and if such challenge be upon the seventh ground specified in the preceding section the party challenged shall be required to read any section of the Constitution of the United States that may be designated by the inspector and may be required to write his name, and if thereupon a majority of the board shall be satisfied that the challenge is not true the one challenged shall be permitted to vote, else not.

2962. If the challenge is determined against the person offering to vote, the ballot offered must, without examination, at once be destroyed in his presence by the inspector; if determined in his favor, the ballot must be deposited in the ballot box.

2963. If any person challenged refuses to take the oath tendered, or refuses to be sworn and to answer the questions touching the matter of residence, he must not be allowed to vote.

2964. The election board, in determining the place of residence of any person, must be governed by the following rules, so far as they are applicable:

(1.) That place must be considered and held to be the residence

of a person in which his habitation is fixed, and to which whenever he is absent, he has the intention of returning.

(2.) A person must not be held to have gained or lost his residence by reason of his presence or absence from a place while employed in the service of the United States or of this state, nor while engaged in navigation, nor while a student in an institution of learning, nor while kept in an almshouse, asylum or prison.

(3.) A person must not be considered to have lost his residence who leaves his home to go to another state or county of this state or foreign country for temporary purposes merely, with the intention of returning.

(4.) A person must not be considered to have gained a residence in any county into which he comes for temporary purposes merely, without the intention of making such county his home.

(5.) If a person removes to another state or territory with the intention of making it his residence, he loses his residence in this state.

(6.) If a person removes to another state or territory with the intention of remaining there for an indefinite time, and as a place of present residence, he loses his residence in this state, notwithstanding he entertains an intention of returning at some future period.

(7.) The place where a man's family resides must be held to be his residence; but if it be a place of temporary establishment for his family, or for transient objects, it is otherwise.

(8.) If a man have a family fixed in one place and he does business in another, the former must be considered his place of residence; but any man having a family and who has taken up his abode with the intention of remaining, and whose family does not so reside with him, must be regarded as a resident where he has so taken up his abode.

(9.) The mere intention to acquire a new residence without the fact of removal avails nothing; neither does the fact of removal without the intention.

2965. The term of residence must be computed by including the day on which the person's residence commenced, and by excluding the day of election.

2966. Before administering an oath to a person touching his place of residence, the inspector must, if requested by any person, read to the person challenged the rules prescribed herein.

2967. The board must cause one of the clerks to keep a list, showing:

- (1.) The names of all persons challenged.
- (2.) The grounds of such challenge.

(3.) The determination of the board upon the challenge.

2968. No person shall do any electioneering on election day within any polling place, or in any public street or room, in a public manner, within one hundred and fifty feet of any polling place. No person shall remove any official ballot from any polling place before the closing of the polls. No person shall show his ballot, after it is prepared for voting, to any person in such a way as to reveal the contents, nor shall any person solicit the voter to show the same; nor shall any person (except an inspector of election) receive from a voter a ballot prepared for voting. No voter shall receive an official ballot from any other person than one of the judges having charge of the ballots, nor shall any other person, other than such judge, deliver an official ballot to such voter. No voter shall place any mark upon his ballot by means of which it can be identified as the one voted by him. Every voter who does not vote or deliver, in the manner hereinbefore by this title provided, the ballot received by him from the judge shall, before leaving the polling place or going outside the guardrail, return each such ballot to the judges. Whoever shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be confined in the county jail not less than one month nor more than six months.

2965. Any person entitled to vote at a general election held within this state shall, on the day of such election, be entitled to absent himself from any service or employment at which he is then engaged or employed for a period of two hours between the time of opening and the time of closing the polls; and such voter shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made on account of such absence, from his usual salary or wages; provided, however, that application shall be made for such leave of absence prior to the day of election. The employer may specify the hours during which said employee may absent himself as aforesaid. Any person or corporation who shall refuse to an employee the privilege hereby conferred, or who shall subject an employee to a penalty or reduction of wages because of the exercise of such privilege, or who shall, directly or indirectly, violate the provisions of this section, shall be guilty of a misdemeanor.

2970. A voter who shall, except as herein otherwise provided, allow his ballot to be seen by any other person with intention of letting it be known how he is about to vote, or who shall make a false statement as to his inability to mark his ballot, or any person who shall interfere with any voter inside of said enclosed space who shall endeavor to induce any voter to vote for any particular

candidate within the building in which the voting is proceeding, shall be punished by a fine of fifty dollars, or fifty days in the county jail, and it shall be the duty of the election officers to see that the offender is duly brought before the proper court for the recovery of such penalty.

2971. Any person who shall, prior to an election, wilfully deface or destroy any list of candidates posted in accordance with the provisions of this title, or who, during an election, shall wilfully deface, tear down, remove or destroy any card of instructions posted for the instruction of voters, or who shall, during election, wilfully remove or destroy any of the supplies or conveniences furnished to enable a voter to prepare his ballot, or shall wilfully hinder the voting of others, shall be punished by a fine of fifty dollars, or fifty days in the county jail.

2972. Any person who shall forge or falsely make the official endorsement of any ballot, or wilfully destroy or deface any ballot or wilfully delay the delivery of any ballots, shall be punished by a fine of one hundred dollars, or one hundred days in the county jail.

2973. Any public officer upon whom a duty is imposed by this title who wilfully neglects to perform such duty, or who shall wilfully perform it in such way as to hinder the objects of this title, shall be punished by a fine of two hundred dollars, or two hundred days in the county jail.

2974. Any person or persons introducing in any way upon election day into the building or room where an election is being held, or within the fifty-foot limit, any spirituous or malt liquors, and any inspector, judge or clerk of election, or election marshal drinking such liquors in such place, or being intoxicated therein on election day, or during the canvassing of the vote, shall be deemed guilty of a misdemeanor.

CHAPTER IX

POLL LISTS

2975. The following is the form of poll lists and tally lists to be kept by boards and clerks of election:

POLL LISTS

Of the election held in the precinct of.....in the county of.....on the.....day of.....in the year A. D. one thousand, nine hundred and....., A. B., C. D. and E. F., judges, and C. H. and J. K., clerks of said election, were respectively sworn (or affirmed), as the law directs, previous to their entering on the duties of their respective offices.

NUMBER AND NAME OF ELECTORS VOTING

No.	Name	No.	Name
1	A. B.	3	E. F.
2	C. D.	4	G. H.

We hereby certify that the number of electors voting at this election amounts to.....

Attest:

G. H.

A. B.

J. K.

C. D.

Clerks.

E. F.

Board of Election.

TALLY LISTS

2976. Names of persons voted for, and for what office, containing the number of votes given for each candidate.

Names of Office—Candidate Voted for:	Tally of Votes					Total Vote
For Representative in Congress:						
Name	IIII	IIII	IIII	IIII	IIII	25
Name	IIII	IIII	IIII	IIII		20
For Governor:						
Name	IIII	III				9
Name	IIII	III				9
For Constable:						
Name	IIII	IIII				10
Etc., etc., etc.	etc.	etc.				etc.

We certify that.....had twenty-five votes for representative in congress, etc., etc.

A. B.

G. H.

C. D.

I. K.

Clerks.

L. M.

Board of Election.

2977. No lists, tally, paper or certificate returned from any election must be set aside or rejected for want of form, nor on account of its not being strictly in accordance with the directions of this title, if it can be clearly understood.

2978. Every act declared to be an offense by the general election law shall be such under this chapter and any person found guilty of such offense shall be subject to the penalties prescribed by such election law.

2979. If the names of more persons are designated on any ballot found in the ballot box for the same office than are to be chosen for such office, then, except in the cases provided for in the next section, all the names designated for such offices must be rejected, and the fact of such rejection, and the reason therefor, must, at the time of such rejection, be noted on the ballot and signed by a majority of the election board.

2980. When upon a ballot found in any ballot box a printed name and a name written in ink or with pencil appears, followed by a cross in the proper square, and there are not so many persons to be chosen for the office, the printed name must be rejected and the written one counted, and the fact must at the time be noted on the back of the ballot, and such note must be signed by a majority of the election board.

2981. If a ballot is found in any ballot box containing the name of the person and the office for which he is designated, or either two or more times, it must not for that reason be rejected; it must be counted as one ballot.

2982. When a ballot found in any ballot box bears upon it any impression, device, or color, or thing, or is folded in a manner intended to designate or impart knowledge of the person who voted such ballot, it must, with all its contents be rejected.

2983. Whenever the board of election rejects a ballot, it must, at the time of such rejection, cause to be made thereon and signed by a majority of the board an indorsement of such rejection and of the causes thereof.

2984. All rejected ballots must be preserved and returned in the same manner as other ballots.

2985. Whenever a question arises in the board as to the legal-

ity of a ballot, or any part thereof, and the board decide in favor of the legality, such action, together with a concise statement of the facts that give rise to the objection, must be indorsed upon the ballot and signed by a majority of the board.

CHAPTER X

CANVASSING AND RETURNING THE VOTE

2986. As soon as the polls are finally closed the election board must immediately proceed to canvass the votes given at such election. The canvass must be public, in the presence of bystanders, and must be continued without adjournment until completed and the result thereof is declared.

2987. The canvass must be commenced by taking out of the box the ballots unopened except so far as to ascertain whether the number of ballots correspond with the number of names on the list of voters kept by the clerk.

2988. If two or more separate ballots are found so folded together as to present the appearance of a single ballot, they must be laid aside until the count of the ballots is completed, then, if upon comparison of the count with the number of names of electors on the lists which have been kept by the clerks, it appears that the two ballots thus folded together were cast by one elector, they must be destroyed.

2989. If the ballots in the box are still found to exceed in number the names on the lists, they must be replaced in the box, and one of the judges must publicly and without looking in the box draw out therefrom, singly, and destroy, unopened, a number of ballots equal to such excess, and the board of election must record on the poll lists the number of ballots destroyed.

2990. The number of ballots agreeing or being thus made to agree with the number of names on the lists, the lists must be signed by the members of the board and attested by the clerks, and the number of names thereon must be set down in words and figures at the foot of each list, and over the signatures of the judges and the attestation of the clerks.

2991. After the lists are thus signed, the board must proceed to count and ascertain the number of votes cast for each person voted for. The ballots must be taken out and opened by one of the members of the board, and the ticket must be distinctly read.

2992. Each clerk must write down each office to be filled, and the name of each person voted for to fill such office, and keep the number of votes by tallies as they are read aloud.

2993. The tickets, as soon as read, or rejected for illegality, must be strung on a string by one of the judges, and must not there-

after be examined by any person, but must, as soon as all are counted, be carefully sealed in a strong envelope, each member of the board writing his name across the seal.

Avery vs. Williams, 8 Ariz. 355—76 Pac. 463.

2994. As soon as all the votes are counted and the tickets sealed up lists must be attached to the tally lists containing the names of persons voted for, and for what office, and the number of votes given for each candidate, the number being written at full length, and such lists must be signed by the members of the board and attested by the clerks.

2995. The board must, before it adjourns, inclose in a cover, and seal up and direct to the clerk or the board of supervisors, one of the lists of the persons challenged, one copy of the list of voters, and one of the tally lists and list attached thereto, and the stubs of the voted ballots.

The board must also, immediately upon signing the list provided in the preceding section, transcribe upon a certificate, which, together with an appropriate envelope for the same, the board of supervisors shall supply all election boards, the result of the election, setting opposite the name of each candidate the total vote for such candidate, and mail said certificate so filled out to the boards of supervisors at once in the separate envelope provided for this purpose. Said certificate shall be signed by the inspector and attested by the clerks.

2996. The copy of the precinct register used at the election must be returned by the election board to the county recorder, the city clerk or other officer from whom the same was received.

2997. The inspector must retain, open to the inspection of all electors, for at least six months, the other list of voters, tally list and list attached thereto.

2998. The sealed packages containing the lists, papers and ballots must, before the board adjourns, be delivered to one of its number, to be determined by lot, unless otherwise agreed upon.

2999. The member to whom such packages are delivered must, without delay, deliver such packages, without their having been opened, to the clerk of the board of supervisors at his office, nearest postmaster or sworn express agent, who shall endorse on such packages the name of the party delivering them, and date of such delivery. If delivered to a postmaster or express agent, such postmaster or express agent shall forward the packages by the first mail or express to the county seat.

3000. Upon receipt of the packages, the clerk must deposit in the safe of the county treasurer the one containing ballots, who must keep it unopened and unaltered for six months, after which time, if

there is no contest commenced, he must burn the packages, without opening or examining the contents.

Averyt vs. Williams, 8 Ariz. 355—76 Pac. 463.

3001. If within six months there is such a contest commenced, the treasurer must keep the package, unopened and unaltered, until it is finally determined, when he must, as provided in the preceding section, destroy it, unless such package is, by virtue of an order of the tribunal in which the contest is pending, brought and opened before it to the end that evidence may be had of its contents, in which event the package and contents are in the custody of such tribunal.

3002. The other package the clerk of the board of supervisors must produce before the board of supervisors when it is in session for the purpose of canvassing returns.

CHAPTER XI

CANVASS OF RETURNS—DECLARATION OF RESULT—COMMISSIONS AND CERTIFICATES OF ELECTION.

3003. The board of supervisors of the county must meet at its usual place of meeting on the second Monday after each election to canvass the returns.

3004. If, at the time of meeting, the returns from each precinct in the county in which the polls were opened have been received, the board must then and there proceed to canvass the returns, but if all the returns have not been received, the canvass must be postponed from day to day until all of the returns are received, or until six postponements have been had.

3005. The canvass must be made in public, and by opening the returns and determining the vote of such county or district for each person voted for and for and against each proposition voted upon at such election, and declaring the result thereof.

3006. The clerk of the board must, as soon as the result is determined, enter on the records of such board a statement of such result, which statement must show:

- (1.) The whole number of votes cast in the county;
- (2.) The names of the persons voted for; and the propositions voted upon;
- (3.) The office to fill which each person was voted for;
- (4.) The number of votes given at each precinct to each of such persons, and for and against each of such propositions;
- (5.) The number of votes given in the county to each of such persons, and for any against each of such propositions.

3007. The board must declare elected the person having the

highest number of votes given for each office to be filled by the votes of a single county or subdivision thereof.

3008. The clerk of the board of supervisors shall immediately make out and deliver to or send to him a certificate of election, signed by the said clerk of the board of supervisors and authenticated with the seal of the office of the board of supervisors.

3009. No declaration of the result, commission or certificate must be withheld on account of any defect or informality in the return of any election, if it can with reasonable certainty be ascertained from such return what office is intended and who is elected thereto.

CHAPTER XII

PRIMARY ELECTIONS

3010. On the eighth Tuesday prior to any general or special election at which candidates for public office are to be elected, there shall be a primary election at which each and every political party entitled, and intending to make nominations for the said ensuing general or special election, shall, if such party desires to have the names of its candidates printed on the official ballot at said election, nominate their candidates for all elective, or advisarily elective, senatorial, congressional, state, judicial, county and precinct offices to be filled at such election; provided that nominations entitling candidates to have their names printed on the official ballot for any special election held for the purpose of filling a vacancy in any office or offices, caused by death, resignation, or removal, may be made by delegate convention, if, in the judgment of the secretary of state and the attorney general, the time is too short in which to hold a primary election, or the cost of holding the same would be excessive or unnecessarily burdensome; and provided further, that such primary election for the nomination of candidates entitling nominated candidates to have their names printed on the official ballots at municipal elections in incorporated cities and towns shall be held not less than thirty days prior to said election.

3011. At least sixty days before the date of any regular primary election, the secretary of state shall prepare and transmit to the board of supervisors of the several counties of the state a notice in writing designating the offices for which candidates are to be nominated at such primary election. Upon receipt of such notice each clerk of the board of supervisors shall forthwith publish so much thereof as may be applicable to his county, once each week for three consecutive weeks in not more than one newspaper of general circulation in the county, provided, such printed notice shall contain only a reference to the law under which the primary is to be held,

the date of the primary and the offices to be filled and shall be substantially in the following form:

"A primary election is hereby called in the several precincts ofCounty, under the provisions of the law relating to primary elections, on the.....day of.....for the purpose of voting for candidates for the several parties to be nominated for the following offices:

.....

.....

.....

The sheriff of each county shall, immediately after the publication of such notice, cause a notice of such primary to be posted in three public places in each precinct in his county; such notice so posted shall state the time when and the place where the primary will be held in each precinct therein, together with the offices for which the candidates are to be nominated and the names of persons constituting the primary boards. All official notices calling state or county primary elections shall specify that the same shall be held for the nomination of candidates by all political parties and for the nomination of non-partisan candidates, if any. Provided that in case of city or town primary elections, the duties herein prescribed as devolving upon the secretary of state shall devolve upon the mayor, or similar governing officer or governing board or commission, and the duties herein prescribed as devolving upon the clerk of the board of supervisors shall devolve upon the city or town clerk; and whenever the word "county" is used, the word "city" or "town," as the case may be, shall be understood to be meant in the case of such city or town primary.

3012. Any person desiring to become a candidate at a primary election, as herein provided, for a political party nomination or a non-partisan nomination, shall if he desires to have his name printed on the official ballot at such primary elections, not less than twenty days nor more than sixty days before said primary election, file a nomination petition as hereinafter provided. Such petition shall be signed by the candidate, shall give his place of residence and his postoffice address, shall name the party of which he desires to become a candidate, and shall give the date of the primary election and the election at which he desires to become a candidate; provided that if he desires to become a non-partisan candidate this fact shall be stated in his petition. All such nomination petitions of candidates for the office of presidential elector, a United States senator, representative in congress, or for a state office, excepting members of the legislature and superior judges, and for all other offices for which the electors of the entire state, or a subdivision

thereof greater than a county, are entitled to vote, shall be filed with the secretary of state. All such nomination petitions of candidates for members of the legislature, superior judges and for county and precinct offices for which the electors of a county or a subdivision of a county, other than an incorporated city or town, are entitled to vote shall be filed with the clerk of the board of supervisors. All such nomination petitions of candidates for city or town offices shall be filed with the city or town clerk.

3013. In addition to the nomination petition as provided in the foregoing section, every candidate desiring to have his name printed upon the official ballot to be used at any primary election shall, not more than sixty days nor less than twenty days prior to such primary election, file a nomination paper, if he be a candidate for presidential elector, United States senator, representative in congress, or for any state office, with the secretary of state; if for a county office, including members of the legislature and superior judge, with the clerk of the board of supervisors; and if for a city or town office with the clerk of the city or town. said nomination papers shall follow substantially the following form:

"I, the undersigned, a qualified elector of the.....precinct of the County of....., State of Arizona, and a member of theparty, hereby nominate....., who resides atin the county of....., for the party nomination for the office of.....to be voted for at the primary election to be held.....as representing the principles of said party, and I further declare that I have not signed, and will not sign, any nomination paper for any other person for said office (or in case said candidate is a candidate for the position for which more than one candidate is to be elected, for more than the number of candidates necessary to fill all of said offices at the next ensuing election).

(Heading in Case of Cities.)

Names of Signers.	Name of City.	Street No.
	Date of Signing.	

(Heading in Cast of Precincts.)

Names of Signers.	Postoffice.	Date of Signing.
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All nomination papers shall have substantially the foregoing form, written or printed, at the top thereof. No signature shall be counted unless it is upon a sheet having such written or printed form at the top thereof.

Each signer of a nomination paper shall sign but one such paper for the same office unless more than one candidate is to be elected to such office, and in that case no more than a number of nomination papers equal to the number of candidates to be elected to such office, and shall add to his signature his postoffice address, and if

in an incorporated city, his street and number. To each such nomination paper shall be appended a certification by a qualified elector entitled to vote for the candidate whose nomination paper he certifies, stating that to the best of his knowledge and belief all the signers thereof are qualified electors of the precinct which they give as their residence, and that each signer is a member of the party the nomination of which the candidate whose name appears on such nomination paper is seeking.

3014. Such nomination papers shall be filed not more than sixty days nor less than twenty days before the date fixed by law for said primary election; provided that in a special primary election called by a proclamation according to law nomination petitions may be filed not less than ten days before the date fixed by such proclamation for such primary election.

3015. Such nomination papers shall be signed,

(1.) If for a candidate for the office of presidential elector, United States senator, representative in congress, or for any state office, excepting members of the legislature and superior court judges, by a number of qualified electors equal to at least one per cent of the votes of the party of such candidate in at least three counties in the state, but not less than one per cent nor more than ten per cent of the total vote of his party in the state;

(2.) If for a candidate for a county office, member of the legislature or superior judge, by at least three per cent of the party vote in such county, but not more than ten per cent of the total vote of the party designated in such county;

(3.) If for a candidate for county precinct committeeman by at least three per cent of the party vote of such candidate in such precinct;

(4.) If for a candidate for justice of the peace or constable, by at least five per cent of the party vote of such candidate in the precinct;

(5.) If for a candidate for a city or town office by at least five per cent of the designated party vote in at least one-sixth of the election precincts of the city or town, but not less than five per cent or more than ten per cent of the vote of the party designated in the city or town.

The basis of percentage in each case shall be the vote of the party for governor at the last preceding general election at which a governor was elected.

3016. Any political organization which, at the last preceding general election shall have cast five per cent of the total vote in the state for its candidates (or in a subdivision thereof, in which a candidate seeks nomination of such political organization for a local

or county office), shall be entitled to representation on the official ballot as a political party, and whenever a petition signed by a number of qualified electors equal to at least two per cent of the votes cast for governor at the last preceding general election in at least each of five counties of the state, shall be filed with the secretary of state and certified to by any affidavit of ten well known, reputable, qualified electors of the state, asking that the signers thereof be recognized as a new political party, they shall be so recognized, and such party shall be represented by an official ballot at the ensuing primary election and the succeeding general election. The same privilege shall inure to petitioners within a county, or a city or town, as to county, city or town primary elections, provided that said petition shall be filed with the clerk of the board of supervisors or the city or town clerk as the case may be, and signed by a number of petitioners equal to at least three per cent of the total vote of such county, city or town, as the case may be, at the preceding regular general election for the several candidates for county attorney or mayor, as the case may be, distributed throughout at least one-fourth of the election precincts of such county, city, or town as the case may be. Provided that such petitions as are provided for in this section shall be filed not more than sixty days and not less than thirty days preceding the primary election.

3017. (1.) At least twelve days before the primary of the year 1914, and of each alternate year thereafter, each clerk of the boards of supervisors, and at least ten days before the primary in each year, each city clerk shall prepare sample official tickets, placing thereon alphabetically under the appropriate title of each office and party name the names of all candidates to be voted for in each precinct of his county or of his city, as the case may be, for whom nomination papers have been filed. Such sample ballots shall be printed upon tinted or colored paper and shall contain no blank endorsement or certificate.

(2.) The clerk of the board of supervisors shall forthwith submit the ticket of each party to the county chairman thereof, and in the case of city primaries, the city clerk, a ticket of each party to the city chairman thereof and the respective clerks shall also mail a copy to each candidate for whom nomination papers have been filed with him to his postoffice address as given in such nomination paper and each of said clerks shall post a copy of each sample ballot of his respective city or county, as the case may be, in a conspicuous place in his office.

(3.) The chairman of each party shall on or before the tenth day preceding such primary suggest to the clerk of the board of supervisors or the city clerk, as the case may be, any change that

he may consider shall be made in his party ticket, and, if upon examination the clerk shall find any error or omission in said ticket, he shall correct the ticket and cause the same to be printed and distributed as required by law in the case of ballots for general election, except that the number of tickets of each party to be furnished to each precinct shall be twice the number of votes cast thereat for the candidates receiving the highest number of votes by the respective parties in the last preceding general election, and provided, that in case of nomination petitions are filed by a new party, the number of ballots provided shall be twice the number of votes the clerk of the board of supervisors estimates such party will cast.

(4.) The ballot shall be substantially in the following form:
To be torn off by Inspector No.....

For Presidential Elector.	Vote for Three
John Doe.	
John Doe.	
John Doe.	
Congressional.	
Senator. For United States	Vote for One
John Doe.	
John Doe.	
John Doe.	

For Representative in Congress.	Vote for One
John Doe.	
John Doe.	
John Doe.	
State.	
Judicial	
For Judge of the Supreme Court.	Vote for Three
John Doe.	
John Doe.	
John Doe.	
John Doe.	
John Doe.	
John Doe.	

For Governor.	Vote for One
John Doe.	
John Doe.	
John Doe.	
Legislative.	
Senator. For State	Vote for Two
John Doe.	
John Doe.	
John Doe.	
County.	
For Sheriff.	Vote for One
John Doe.	

John Doe.	
Party.	
For Precinct Committeeman.	Vote for One
John Doe.	
John Doe.	

(Indorsement)
(Official Primary Ticket.)

.....
..... Party
..... Precinct..... Ward, city or county
..... September..... 1916.

.....
.....
Clerks.

We certify the within ticket was marked by us for an elector, incapable under the law of marking his own ticket, as directed by him.

.....
.....
Judges.

We certify the within ticket was marked by us for a blind elector at his request as directed by him.

.....
.....
Judges.

OFFICIAL PRIMARY TICKET
City Election.

.....Party
To vote for a person whose name is printed on the ticket, mark a cross (X) in the square at the right of the name of the person for whom you desire to vote.

To vote for a person whose name is not printed on the ticket, write his name in the blank space provided for that purpose and mark a cross (X) in the square to the right.

	City.	
Mayor		Vote for one
	
	John Doe.	
	
Clerk		Vote for one
	
	John Doe.	
	
Precinct Committeeman		Vote for.....
	
	John Doe.	
	
	(Indorsement)	

OFFICIAL PRIMARY TICKET.

.....Party.
.....Precinct.....Ward.....City.....

Clerks.

19.....

We certify the within ticket was marked by us for an elector incapable, under the law, of marking his own ticket, and as directed by him.

Judges.

3018. (1) The primary board shall consist of one inspector and two judges, who, together with two clerks shall be appointed and paid in like manner as provided for boards of election.

(2) The provisions of existing statutes concerning elections, and any amendment now or hereafter made thereto so far as they are not

inconsistent with the provisions of this chapter, shall apply to primary elections, the intent being to place the primary under the regulations and protection of the laws in force as to elections, provided, that all the powers and duties conferred are imposed by the laws of this state upon boards of election, registration officers, judges and clerks of election, canvassing boards and all other public officials in connection with general election, are in every detail and particular conferred and imposed upon each and all such officers, in connection with primary elections.

(3) At all primaries there shall be provided a separate ticket for each party entitled to participate in the primary, and also a blank ticket on which shall be printed only the titles of the officers to be voted for by the electors at the polling place for which the ticket is printed. Each party ticket shall be designated by the name of the party. The names of all party candidates shall be arranged as hereinafter provided, under the appropriate title of the respective officers, and under the proper party name upon the party ticket. If any elector writes upon his ticket the name of any person who is a candidate for any office upon some other ticket than that upon which his name is so written such elector shall thereby invalidate vote on that particular office, but the vote on the balance of the ticket shall be counted. In case a person is nominated on more than one ticket, he shall forthwith file with the proper officer or officers in charge of the preparation of elections ballots, a written declaration indicating the party named under which his name is to be printed on the official election ballot, and his name shall be printed only under said party name. The ticket with the endorsements shall be in substantially the form herein prescribed; provided, that tickets for any city primary may be varied as to the title of the officers to be printed thereon so as to conform to the law under which such primary is to be held.

(4) Any person desiring to vote shall give his name and residence to the judges of the primary, one of whom shall thereupon announce the same in a loud and distinct tone of voice, and if such name be found upon the precinct register by the officers having charge thereof, or if he shall have produced and filed with the election board a certificate, as provided by law, entitling him to vote, he shall likewise repeat said name and the voter shall be allowed to enter the space enclosed by the guard rail. The clerk shall thereupon place his name and number upon the poll list. Whereupon one of the judges designated by the primary board shall give the voter one, and only one, ticket of the party with which he or she is affiliated, as appears from the precinct register, in the upper right hand corner of the stub of which shall be inscribed with pen and ink, the number corresponding with the voter's number upon the poll list, and the

voter's name shall be immediately checked on the register. If any person desiring to vote at any primary shall be challenged, he shall not receive a ticket until he has established his right to vote in the manner provided by law, but during the pendency of such challenge other voters shall be given tickets and permitted to vote.

3019. The precinct committee of each party in each precinct may, by written appointment addressed to the board, designate a party agent or representative and an alternate in such precinct who shall act as challenger for his respective party. The right of any person to vote at a primary may be challenged by any elector upon the same ground and his right to vote determined in the same manner as provided by Chapter VIII of this Title.

A precinct committeeman of each party may represent such party at the polling booth during the canvass and return of vote at a primary election, or he may appoint, in writing, an agent who shall be a member of his party and a resident elector of his precinct for that purpose.

Section 2. All acts and parts of acts in conflict with this act are hereby repealed.

Approved March 22, 1915.

3020. Whenever there shall be two or more candidates for any nomination the names of all candidates for such nomination shall be so alternated that upon the ballots used in each election precinct the name of each candidate shall appear substantially an equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list or group in which they belong. In printing the ballots, first the forms shall be set up with the names of candidates in each group in alphabetical order. Then the positions of the names under each office shall be changed as many times as there are candidates in the group upon the ballot in which there are the most names. As nearly as possible an equal number of ballots shall be printed after each change. In making the changes of position the printer shall take the line of type at the head of each group and place it at the bottom of that group, shoving up the column so that the name that was second in the group before the change shall be the first after the change. After the ballots are printed they shall be kept in separate piles, one pile for each change of position, and shall be then piled by taking one from each pile and placing it upon the final pile, the effect being that every ballot in the pile of printed sheets shall have names in a different position from the last preceding ballot. After the final pile is made in this manner the ballots shall be taken therefrom in the order in which they rest in the pile and placed in blocks.

3021. All official ballots shall be bound together in blocks of

not less than twenty-five nor more than fifty, after the manner provided for in the foregoing section. All officers charged with the preparation and distribution of ballots shall cause the blocks of ballots to be made up as required in this section and the foregoing.

3022. At least five sample ballots printed on muslin or cloth shall be provided by the officers whose duty it is to print and distribute the official ballots for each precinct, and such officers shall cause the same to be posted in conspicuous places in each precinct before the opening of the polls at such primary election, one of which sample ballots shall be posted within the place where the said primary election is held, and one in some convenient place immediately outside.

3023. The officers charged with the duty of printing and distributing the official ballots shall also cause to be printed and distributed for the information of voters at each precinct, such number of sample ballots as they may deem necessary, not to exceed five per centum of the number of regular ballots printed for the several political parties of the precinct. Such sample ballots shall be printed only on colored paper.

3024. Said primary election shall be held, the voters shall vote therein, the method of voting shall be followed, the votes counted and canvassed, and the returns made, in the same manner as is now or may hereafter be by law provided for general elections, except as herein provided. And such primary elections shall in all respects conform to the laws governing general elections, except as herein otherwise provided, and all provisions of the laws governing elections not in conflict with this chapter are hereby made applicable and put in force governing such primary election.

3025. The boards of election shall be chosen for said primary elections as in general elections, and shall perform the duties imposed on said boards for the general elections; they shall make and sign a statement giving the names of persons voted for, the office for which each sought the nomination, and the number of votes received by each, fully certifying the results of such election. Such statements shall become a part of the official returns of such primary election at the close of any precinct count. The board of election for such precinct, in such primary election, shall give a certificate of the vote cast in the precinct, for all candidates of each political party to some person authorized, in writing, by the chairman of the county central committee, or the city or town committee, as the case may be, of such political party to receive such certificate, or in case such person is not present, to any person who is known to be a member of such party. The returns shall be made as in general elections. When the board of supervisors, or city or town council, as the case

may be, has completed its tabulation of precinct returns, the person having the largest number of votes, for the nomination for any office in the political party of which he was set forth on said ballot as a candidate for the nomination shall be declared the nominee of such party for such office, and be given a certificate of nomination for the same, which shall entitle him to have his name placed upon the official ballot at the ensuing election as the nominee of such party for such office. A candidate for a non-partisan nomination for any office who has received the largest number of votes of the candidates for the nomination for that office upon the non-partisan ticket shall be declared a non-partisan nominee for such office, or in case more than one candidate shall be necessary to fill the offices sought those candidates to the required number, who shall have received the largest number of votes, as herein provided, shall be declared the non-partisan nominees for said office, which shall entitle him or them to have his or their names placed upon the official ballot at the ensuing election as non-partisan nominees.

The board of supervisors of each county shall meet on the Monday following any regular primary election and begin canvassing the vote of the county in such election, and said board shall meet from day to day until such canvass is completed.

3026. If any qualified voter who is physically disabled asks for assistance in marking his ballot, two of the judges or clerks, who shall not belong to the same political party, shall go into the booth with him and shall mark his ballot as he directs, and any judge or clerk who shall attempt to electioneer with such voter to try to influence his vote, or shall mark the same contrary to directions of such voter, shall be guilty of a misdemeanor.

3027. Every act declared to be an offense by the general election law shall be such under this chapter, and any person found guilty of such offense shall be subject to the penalties prescribed by such election law.

3028. No person shall be allowed to have his name printed on the official ballot as a candidate in any general election unless he shall have complied fully and completely with the provisions of this chapter.

3029. Candidates, before any primary election, shall file, together with the nomination petition herein provided for, with the officer with whom such nomination petition is filed, the name of each and every individual, with his postoffice address, by, or through, whom such candidates have expended, or propose to expend, money in defraying the expenses of their campaigns. Should any candidate determine not to authorize or appoint any such person or persons to expend money or other things of value for him, in or during his

campaign, he shall, instead of filing such name or names, notify such officer that he has not authorized, and will not authorize, any person so to act for him, but that he will in person account for all the money or other things of value expended in the interest of his candidacy. Should any candidate fail to file such names or information his name shall not be printed upon the official ballot in such primary election.

3030. Within ten days after any primary election, all candidates therein shall prepare a carefully itemized statement setting forth each item in detail, with the cost thereof, showing the full and complete record of his expenditures of money or other things of value, including all promises to pay money or other things of value, as well as all treats, presents, or favors which cost money, or other things of value, either present or future, which were intended for the purpose of aiding or that would have a tendency to aid the success of such candidate in such primary election. Together with such report each candidate shall file a like report in detail for each of the persons named by him as authorized to expend money or other things of value in his interest. He shall also, at the same time, file a like report for any person who may have expended money or things of value for such candidate, although the name of such other person was not among those filed by such candidate as the names of authorized agents. Such report shall be filed with the officer with whom the candidate's nomination petition has been filed. Such report shall be prepared upon blank forms, and a reasonable number of such forms shall be mailed to each candidate by the secretary of state, clerk of the board of supervisors, or the city or town clerk, as the case may be. The secretary of state shall forward a sufficient supply of such blanks to the clerks of the boards of supervisors in the several counties of the state. Such blank reports shall be printed by the order of the secretary of state, and shall be in form as follows: State of Arizona, County of.....

I,, who was a candidate for the nomination as theparty's candidate for.....in the primary election on....., 19....., do solemnly swear that the itemized statement hereto attached contains each and every item of money, or other thing of value, which I paid, or expended, or which I promised to pay or expend, inclusive of all treats, presents, favors, or other things which cost money or for which I have obligated myself to pay for the purpose of aiding or advancing my candidacy, directly or indirectly; it includes all such money or other things of value as above enumerated whose itemized report is not attached hereto; I know of absolutely no expenditure which was made for the purpose of directly or indirectly influencing or aiding or advanc-

ing my interest as a candidate which is not included either in this report or that of those accompanying it, and I believe no such expenditures have been made except as herein reported.

This.....day of.....19.....

Subscribed and sworn to before me the.....day of....., 19.....

Said report must be subscribed and sworn to by the candidates before someone authorized to administer oaths.

3031. Should any candidate who received the nomination of any political party fail or refuse to file a full and complete detailed report as above specified, the secretary of state or board of supervisors or city or town clerk whose duty it is to issue to such nominee his certificate of nomination shall withhold such certificate and refuse to issue same until such reports are filed. Any candidate who failed to receive the nomination, and who refuses, or fails to file such report, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars, nor more than five hundred dollars.

3032. Any vacancy or vacancies appearing, after the holding of any primary election, in the list of candidates necessary to fill all the officers provided for by law in the ensuing election, shall be filled by a party committee of the state, county, city or town, as the case may be, and the name of any candidate so filed with the officer with whom nomination petitions are filed, shall be placed upon the official ballot in the ensuing election.

3033. All reports required hereunder shall remain in the hands of the officer with whom they are filed, and shall be subject to inspection or publication at any time.

3034. Each campaign committee which manages a candidate's campaign, before a primary election, or manages such campaign for a political party, shall, within ten days after such primary election, file with the officer with whom the nomination petitions of the candidates are filed, a full and complete report of all money, or other things of value, which came into such committee's hands or which was expended by it. The form of said report shall be prepared by the secretary of state and the attorney general and shall be in form the same as required for candidates, except that it shall be altered to conform to the needs of the committee, instead of an individual. Such report shall be signed by a chairman and secretary of each committee, and also by the treasurer thereof, if there be a treasurer, and such report shall state whether there is a treasurer or not, and shall state, if there was not, any other person who expended money or other things of value for it, it shall give the name and postoffice address of such other person, and it shall attach in addition to the

itemized statement which said committee is hereby required to file, a like statement from such other person. Any chairman, secretary, treasurer, or other person, who fails and refuses to sign and swear to such report, as provided herein, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars nor more than five hundred dollars, or confined in the county jail not less than three months nor more than twelve months.

3035. By an "itemized statement" shall be meant that when a candidate has a class of like expenditures, he shall not list them under one item, but shall state each item separately. Each item of printing shall be set out by itself, and each advertisement in a newspaper shall be specifically set forth, with the cost thereof, and in like manner all candidates' reports shall show in detail every transaction.

3036. Candidates before a primary election held under the provisions of this chapter shall be limited in amount of expenditures for the said primary election to the following respective amounts:

Candidates for United States senator, amount not exceeding....	\$1,500.00
Candidates for nomination for any office in which electors of the entire state shall vote, an amount not exceeding.....	1,000.00
Candidates for nomination of supreme judge, an amount not exceeding	750.00
Candidates for nomination for congress, an amount not exceeding	1,000.00
Candidates for nomination for superior judge, an amount not exceeding	200.00
Candidates for nomination for state senator, an amount not exceeding	200.00
Candidates for nomination for representative to the legislature, an amount not exceeding.....	200.00
Candidates for nomination for any office in which the electors of a single county vote, an amount not exceeding.....	200.00
Candidates for nomination for any office in which electors of a single district, or a subdivision of the county, vote, an amount not exceeding.....	50.00
Candidates for nomination for mayor in cities of five thousand or more population, an amount not exceeding.....	200.00
Candidates for nomination for other offices of cities of like population, an amount not exceeding.....	150.00
Candidates for the nomination for mayor in cities or towns of less than five thousand population, an amount not exceeding	100.00
Candidates for nomination for other offices in such cities or towns, an amount not exceeding.....	50.00

3037. Any candidate who expends any more money or other

thing of value, than as set forth in the foregoing section, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than one hundred dollars, nor more than two thousand dollars, and shall be confined in the county jail, in the county in which he was convicted, for not less than six months nor more than two years. When any other thing of value than money is expended or used, in behalf of any candidate, it shall be specified by such candidate, and it shall be considered as money, it being reckoned at its fair cash value.

3038. Any person upon whom the duty is imposed, or who is required to file a report, shall faithfully perform such duty, and file such report, stating accurately the information required. Anyone who misstates the amount of money, or fails to fully disclose the facts as to any gift, promise, treat, reward, favors, or any valuable thing given, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars, nor more than one thousand dollars, and confined in the county jail not less than three months, nor more than twelve months, and should he be a nominee he shall not be allowed to have his name appear upon the ballot, and should it be printed before such conviction, he shall not be allowed to have his name appear upon the ballot at the ensuing election. And should it be printed before such conviction, he shall be denied the right to hold office, if elected. If it be a person elected to an office in the general election, he shall not be entitled to hold such office. Any candidate who expends more money, either in person or through agents, committees, or friends, than the limit prescribed herein, shall, in addition to the punishment hereinbefore prescribed, be thereafter barred from holding office in this state.

3039. Candidates for public office may be nominated otherwise than by primary election or committee in the manner following: A certificate of nomination stating the name of the office to be filled, the name and residence of the candidate and other information required by this section shall be filed with the officers provided in this chapter, after the holding of the primary election at which candidates for such office are nominated, and not more than ten days after such primary election. Such certificate shall be signed only by voters who have not signed the nomination papers of any candidate to be voted for at any primary election, and who have not voted for any candidate for such office at any such primary election. Such certificate of nomination shall be in substantially the following form:

"The undersigned, qualified electors of the.....precinct of..... County, State of Arizona, do hereby nominate....., who resides at..... in the County of....., as a candidate for the office of..... at the general (or special, as the case may

be) election to be held on the.....day of.....19.....

I hereby declare that I have not signed the nomination papers of any candidate to be voted for at any primary election, and that I did not vote for any candidate for such office at any primary election, and I do hereby select the following designation under which name the said candidate shall be placed on the official ballot (here insert such designation not exceeding three words in length as the signers may select).

Names of signers. .Place of residence. Date of signing.

Such certificate shall conform as near as may be to the provisions of this chapter relating to nomination papers, the candidates to be voted for at primary elections, and shall be signed by at least one per cent of the qualified electors of the state, county, or subdivision for which the candidate is nominated. Such percentage shall be determined by the total vote cast for governor in the state or such county or subdivision at the last general election at which a governor was elected.

3040. The provisions of this chapter relative to the expenditures of money, or other things of value, shall apply with as much force and effect to candidates whose names are placed upon the official ballot by petition, at any general election, as they do to the nominees of political parties, or to candidates before primary elections, and all non-partisan candidates shall make and subscribe to the same kind of a report, and shall be liable to all the penalties prescribed herein for other candidates.

3041. All contests arising out of such primary elections shall be settled and decided in the same manner as is now or may hereafter be by law provided for general elections.

3042. No person shall be entitled to vote at any primary election unless he is a qualified elector of the precinct, and duly registered therein, and has been a resident of the said precinct thirty days next preceding said primary election, provided that any voter whose name does not appear on the precinct register, or who may not have a certificate of registration signed by the proper registering officers, may make affidavit that he has registered since the close of the former registration, provided further, that the provisions as to registration and eligibility to vote required by existing statutes, and by any amendment now or hereafter made thereto, shall apply to all primary elections.

3043. All tickets, blanks and other supplies to be used at any primary election, and all expenses necessarily incurred in the preparation for or conducting such primary election, shall be paid out of the treasury of the city, county, or state, as the case may be, in the same manner and with like effect, and by the same officers, as in the

case of general elections. It shall be the duty of the secretary of state and attorney general immediately to prepare all forms necessary to carry out the provisions of this chapter, which forms shall be substantially followed in all primary elections held in pursuance hereof. Such forms shall be printed, with copies of this chapter for public use and distribution.

3044. PARTY ORGANIZATION AND GOVERNMENT. The party organization and government of each of the several political parties shall be as follows:

(1.) At the primaries hereinbefore provided, the members of a party residing in each precinct in each of the several counties of the state, shall choose one of their number as "county precinct committeeman," provided, that each party shall be allowed in addition thereto, one precinct committeeman for each seventy-five votes or major fraction thereof, when more than seventy-five votes were cast in any precinct, for a nominee of such party for governor in the last preceding general election at which a governor was elected.

(2.) The whole number of county precinct committeemen of each of the several political parties shall constitute the county committee of such party. Such county committee shall meet and organize by electing from its own membership a chairman, secretary and treasurer, of which offices the last two may be filled by the same person, on the fourteenth day after the day of the said primary election.

(3.) The chairman of the county committee shall be ex-officio a member of the state committee.

(4.) The state committee of each political party shall consist in addition of one member from each such county committee in the state and in addition thereto one member of said county committee for each two hundred, or major fraction thereof, votes cast for its nominee for governor, at the last preceding general election; such committee shall be elected by the various county committees, from their own membership and not otherwise, at the first meeting of each county committee throughout the state. No person shall be eligible for election as a member of the state committee unless he shall be a duly elected county precinct committeeman. The state committee shall meet on the last Monday in the same month in which any primary election has been held in which nominees for state and county offices are nominated, at twelve o'clock noon at the state capitol and organize by electing from its own membership a chairman, secretary and treasurer. The executive committee of such state committee shall consist of one member of said state committee from each county, who shall be resident of said county to be elected by the members of the state committee from that county, and one member for each one thousand votes or major fraction thereof

cast for the party's candidate for governor in the last preceding general election in each county, similarly elected. The chairman of the state committee shall be ex-officio chairman of the executive committee.

(5.) The city party committee shall be composed of the city precinct committeemen, chosen at the regular primary election, and shall organize by electing from its own membership a chairman, secretary and treasurer.

(6.) The official and unofficial returns made by the primary election board shall show the name and address and the name of the party represented of each precinct committeeman chosen.

(7.) Each committee provided for in this section, and its officers, shall have the powers usually exercised by such committee and by the officers thereof, insofar as is consistent with this chapter. The various officers and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen. The duties of the chairman or secretary of any committee when the committee is not in session, may be performed by members of such committee selected by such chairman or secretary. Provided, that if a vacancy shall occur in any said office or committee through death, resignation, or change of residence, the vacancy shall be filled by election by the body empowered to elect incumbents of said office or members of said committee.

No proxy shall be given by a member of the state committee for use at a meeting of the state committee, except to a qualified elector of his county, and certified before a notary public, or two witnesses, and no proxy shall be given by a member of the county committee except to a qualified elector of the same county and attested by a notary public, or two witnesses.

(8.) Candidates for United States senator, for representative in congress, for a state office, for state senator and for state representative, nominated by each political party at each primary, the national committeeman, the chairman and executive committee of the state committee, and the chairman of the county committees of the several counties of the state, shall constitute the party council of each party, and shall meet at the capitol at twelve o'clock noon on the Tuesday following the last Monday in the month in which any primary election is held preliminary to any general election. The membership of such party council shall be determined by the list of party nominees and party candidates duly certified by the secretary of state, as are on file in his office. Such party council shall be called to order by the secretary of state, or by one of his assistants, who shall read the roll of members, and thereupon the party council shall organize by electing from its own membership a chairman and secretary. They

shall thereupon forthwith formulate the state platform of their party and shall perform such other business as may properly be brought before such meeting. The platform of each party shall be framed and made public at a time not later than six o'clock in the afternoon of the day following their adjournment. The state party council so constituted shall be the party council for two years, and shall have power to call special meetings and perform such other business as may be consistent with the provisions of this chapter.

3045. Any act declared an offense by the general laws of this state, concerning elections, shall also in like case be an offense in all primary elections, and shall be punished in the same form and in the same manner as therein provided, and all penalties and provisions of the law as to such elections, except as herein otherwise provided, shall apply in such case with equal force and to the same extent as though fully set forth in this chapter.

No spirituous, malt, vinous, or intoxicating liquor shall be sold or given away on the date of holding a primary election, during the hours when by law the polls are required to be open. Whoever violates the provisions hereof shall be guilty of a misdemeanor, and upon conviction thereof be fined not less than fifty dollars, nor more than one hundred dollars. It shall be the duty of the sheriff, constable, and other peace officers of the county and city to see that the provisions of this section are strictly enforced.

If any person whose vote is challenged, or any witness sworn under the provisions of this chapter, shall knowingly, wilfully and corruptly swear falsely, he shall be deemed guilty of perjury, and on conviction thereof shall be punished accordingly.

Whoever votes more than once at any primary election, or offers to vote after having once voted at such primary election, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding one hundred dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

Any person who shall solicit, request, demand, or receive, directly or indirectly, any money, intoxicating liquor, or other thing of value, either to influence his vote or to be used or under the pretense of being used, to procure the vote of any person or persons, or to be used at any polls, or other place prior to or on the day of a primary election, shall be deemed guilty of the crime of bribery, and upon conviction in any court of record shall be subjected to a fine of not more than one hundred dollars and imprisonment in the county jail not less than three months nor more than one year, and to pay the costs of prosecution.

Any candidate or other person paying, furnishing, or promising

to pay or furnish, or bribing any person with money, intoxicating liquor, or anything of value, or the promise thereof, shall be deemed guilty of the crime of bribery, and upon conviction thereof in any court of competent jurisdiction shall be fined not less than one hundred dollars, nor more than five hundred dollars, and imprisoned in the county jail not less than three months nor more than one year, and pay the cost of prosecution. Prosecution may be had under this section by indictment in the superior court, or by information therein.

Any person who shall engage in disorderly conduct at any primary election shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars and the costs of the prosecution.

If any clerk of a primary election shall wilfully neglect to perform any duty required of him as a clerk of such primary election, or shall be guilty of fraud, corruption or misbehavior, as such clerk, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined in a sum not less than twenty-five dollars nor more than fifty dollars or imprisonment in the county jail not less than thirty days nor more than six months.

3046. If any judge, clerk, or inspector of a primary shall wilfully neglect to perform any duty required of him under the provisions of this chapter, as such judge, clerk, or inspector, or shall be guilty of fraud or corruption or misbehavior while acting in the capacity of such official, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined a sum of not less than twenty-five dollars nor more than fifty dollars, or by imprisonment in the county jail not less than thirty days nor more than six months.

3047. Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be punished by imprisonment in the county jail for a period of not less than six months nor more than twelve months.

CHAPTER XIII

PUBLICITY OF CAMPAIGN EXPENSES

3048. The term "campaign committee" shall include the state central committee, or state committees, of all political parties, and all county, city or precinct committees of all political parties, organized and conducted for the purpose of influencing the result of any election in any county, city, town, or precinct in this state.

3049. Every campaign committee shall have a chairman and treasurer. It shall be the duty of the treasurer to keep a detailed and exact account of all money or its equivalent received by or promised to such committee, or any member thereof, or by or to any per-

son acting under its authority or in its behalf, and the name of every person, firm, association or committee, from whom received, and of all expenditures, disbursements, and promises of payment or disbursement, made by the committee, or any member thereof, or by any person acting under its authority or in its behalf, and to whom paid, distributed, or disbursed. No officer or member of such committee, or other person acting under its authority or in its behalf, shall receive any money or its equivalent, or expend or promise to expend any money on behalf of such committee, until after a chairman and treasurer of such committee shall have been chosen.

3050. Every payment or disbursement made by a campaign committee exceeding five dollars in amount shall be evidenced by a receipted bill stating the particulars of expense, and every such record, voucher, receipt, or account shall be preserved for fifteen months after the election to which it relates.

3051. Whoever, acting under the authority or in behalf of such campaign committee, whether as a member thereof or otherwise, receives any contribution, payment, loan, gift, advance, deposit or promise of money or its equivalent, shall, on demand, and in any event within five days after the receipt of such contribution, payment, loan, gift, advance, deposit, or promise, render to the treasurer of such campaign committee a detailed account of the same, together with the name and address from whom received, and said treasurer shall forthwith enter the same in a ledger or record to be kept by him for that purpose.

3052. The treasurer of every such campaign committee shall, not more than fifteen days, and not less than ten days, next before any general or special election at which candidates for state, county, city, or town offices are to be elected, file an itemized, detailed statement, and on each sixth day thereafter until such election said treasurer shall file a supplemental itemized, detailed statement. Each of said statements shall conform to the requirements of the following section, except that the supplemental statement herein required need not contain any item to which publicity is given in a previous statement. Each of said statements, and all statements required by this chapter, shall be full and complete, and shall be signed and sworn to by said treasurer. It shall also be the duty of said treasurer to file a similar statement within thirty days after such election, such final statement to be signed and sworn to by said treasurer and to conform to the requirements of the following section. The statement so filed shall be preserved and shall be a public record, and open to public inspection. Such statements shall be filed with the secretary of state in case of state campaign committees or state central committees, with the clerk of the board of supervisors in the case of county commit-

tees, and with the city or town clerk in the case of city or town committees.

3053. The statements required by the preceding section shall state:

(1.) The name and address of each person, firm, association, or committee, who or which has contributed, promised, loaned, or advanced, to such campaign committee or any officer, member or agent thereof, either in one or more items, money or its equivalent of the aggregate amount or value of ten dollars, or more, and the amount or sum contributed, promised, loaned, or advanced by each.

(2.) The aggregate sum contributed, promised, loaned, or advanced to such campaign committee, or to any officer, member or agent thereof, in amounts of less than five dollars.

(3.) The total sum of all contributions, promises, loans, and advances received by such campaign committee or any officer, member or agent thereof.

(4.) The name and address of each person, firm, association, or committee, to whom or which such campaign committee, or any officer, member, or agent thereof, has distributed, disbursed, contributed, loaned, advanced, or promised any sum of money or its equivalent of the amount or value of five dollars or more stating the amount or sum distributed, disbursed, contributed, loaned, advanced, or promised, to each, and the purpose thereof.

(5.) The aggregate sum distributed, disbursed, contributed, loaned, advanced, or promised by such campaign committee, or any officer, member or agent thereof, where the amount or value of such distribution, disbursement, loan, advance, or promise to any one person, firm, association, or committee in one or more items is less than five dollars.

(6.) The total sum disbursed, distributed, contributed, loaned, advanced, or promised, by such campaign committee, or any officer, member, or agent thereof.

3054. Every person who shall be a candidate for election at any general or special election to any state, county, city, or town office shall not more than fifteen days and not less than ten days before the day of such general or special election file a full, correct and itemized statement of all moneys and things of value received by him, or by anyone for him with his knowledge or consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statements shall contain a true and itemized account of all moneys and things of value given, contributed and expended, used or promised, by such candidates or by his agent, representative or other person for or in his behalf, with his knowledge and consent, together

with the names of all those to whom any and all such gifts, contributions, payments, or promises, were made for the purpose of procuring or aiding his election.

Every such candidate shall include therein a statement of every promise or pledge made by him or by anyone for him, with his knowledge and consent, or to whom he has given authority to make any such promise or pledge before the completion of any such general or special election, relative to appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in the county, state, or nation, or in any political subdivision thereof, or in any private or corporate employment, for the purpose of securing the support of such person, or of any person, in his candidacy; and if any such promise or pledge shall have been made, the name or names, the address or addresses, and the occupation or occupations of the person or persons to whom such promise or pledge shall have been made shall be stated, together with the description of the position relating to which such promise or pledge has been made. In the event that no such promise or pledge has been made by such candidate that fact shall be distinctly stated.

3055. Within thirty days after any such general or special election every such candidate shall file a statement containing the same matters as required to be contained in the statement filed before such election, except that such statement need not contain items of which publicity is given in previous statements, but such statements shall contain, in addition to an itemized statement of all expenses not theretofore given publicity, a summary of all preceding statements.

3056. The statements herein required to be filed shall be filed in the office of the secretary of state in the case of all candidates for state offices, and members of the legislature, and with the clerk of the board of supervisors in the case of candidates for county offices, and with the city or town clerk in the case of candidates for city or town offices.

3057. Any candidate who shall fail to file the statement required by this chapter, and any treasurer of any campaign committee who shall fail to make and file any statement required by this chapter within the time herein specified shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for a period of not less than six months nor more than twelve months, or by a fine of not less than one hundred dollars nor more than five hundred dollars, or by both such fine and imprisonment.

3058. It shall be unlawful for any corporation, organized or doing business in the state, to make any contribution of money or any-

thing of value for the purpose of influencing any election or official action.

3059. Any such corporation, its officers or agents acting on behalf thereof, violating any of the provisions of this act shall be punishable by a fine of not less than five hundred dollars and not to exceed two thousand dollars; and the agent or agents, through whom any such violation shall be executed shall be punishable further by imprisonment in the state penitentiary for not less than one year, and not to exceed three years.

CHAPTER XIV CONTESTING ELECTIONS STATE ELECTIONS

3060. Any elector of the state may contest the election of any person who is declared elected to a state office, or the declared result upon a constitutional amendment or other question submitted to vote of the people upon the following grounds:

(1.) For malconduct on the part of the election boards or any of the members thereof in any of the several counties of the state, or on the part of the board of canvassers for the state election or any member thereof.

(2.) When the person whose right to the office is contested was not at the time of the election eligible to such office.

(3.) When the person whose right is contested, or any person acting for him, has given to any elector, inspector, judge or clerk of election, any bribe or reward, or has offered any such bribe or reward, for the purpose of procuring his election, or has committed any other offense against the elective franchise defined in the penal code.

(4.) On account of illegal votes.

(5.) When by reason of the erroneous count of votes the person declared elected or the constitutional amendment or other question submitted declared carried did not in fact receive the highest number of votes for such office or a sufficient number of votes to carry such amendment or question.

Such contest may be brought in the superior court of the county in which the person so contesting resides, or in the superior court of the County of Maricopa, provided that in any contest of the election of any person declared elected to a state office or of any constitutional amendment or other question declared carried, the attorney general shall have the right to intervene, and upon his demand, the place of trial of the contest shall be changed to the County of Maricopa, if commenced in any other county.

3061. The elector contesting such election shall, within twenty

days after the completion of the canvass of such election and the declaration of the result thereof by the state canvassing board, file in the court in which contest is commenced a statement in writing setting forth specifically:

(1.) The name and residence of the party contesting such election, and that he is an elector of the state and of the county in which he resides.

(2.) The name of the person whose right to the office is contested, or the title of the constitutional amendment or other proposition as the same appeared upon the official ballot.

(3.) The office the election to which is contested.

(4.) The particular grounds of such contest.

3062. Such statement must be verified by the affidavit of the contesting party that he verily believes the matters and things therein contained are true.

3063. Upon the filing of such statement the clerk of the superior court shall, in case the election of a person declared elected is contested, issue a summons in substantially the following form:

In the Superior Court of.....County,
State of Arizona.

.....Contestant,

vs.

.....Contestee.

SUMMONS.

To the Above Named.....Contestee:

You are hereby notified that....., a resident of.....in.....County, State of Arizona, has on this day filed in this court a statement of contest wherein he contests your election to the office of.....at the election held on the.....day of.....19....., a copy of which statement accompanies this summons.

You are therefore required to file your answer to said statement with the clerk of this court within ten days after the service of this summons upon you exclusive of the day of service or the court will proceed with the hearing of such contest ex parte.

Given under my hand and the seal of said court this.....day of....., 19.....

(Seal.)

.....
Clerk of said Court.

3064. In case the contest is on any constitutional amendment or proposition which has been declared carried, the summons shall be addressed to the governor and the attorney general, and in substantially the following form:

In the Superior Court of.....County,
State of Arizona.

In the Matter of the Contest of a Certain Constitutional Amendment (or proposition, describing it briefly, as the case may be).

To the Honorable....., Governor, and the Honorable.....
Attorney General of the State of Arizona:

You are hereby notified that..... residing at.....
in the County of....., State of Arizona, has this day filed
with the clerk of this court a statement wherein he contests the
election by which the constitutional amendment (or proposition,
briefly describing it) was declared to have been carried.

A copy of his said statement is hereto attached and herewith
served upon you.

You are further notified that unless an answer to said statement
is filed within ten days after the service of this summons upon you
the court will proceed with the hearing of said contest ex parte.

Given under my hand and seal of said court this.....day
of.....19.....

.....
Clerk of said Court.

In case the contest is against any constitutional amendment, or
any other proposition which has been declared carried, the governor
or attorney general may appear and answer the statement of con-
test, or by leave of the court any elector of the state may intervene
and defend such contest.

COUNTY, PRECINCT AND MUNICIPAL ELECTIONS

3065. Any elector of a county, city, or any political subdivision
of either may contest the right of any person declared elected to an
office to be exercised therein for any of the following reasons:

(1.) For malconduct on the part of the election board, or any
member thereof, or on the part of the board of canvassers, or any
member thereof.

(2.) When the person whose right to the office is contested was
not, at the time of the election, eligible to such office.

(3.) When the person whose right is contested has given to any
elector or inspector, judge or clerk of the election any bribe or re-
ward, or has offered any such bribe or reward, for the purpose of
procuring his election, or has committed any other offense against
the elective franchise defined in the penal code.

(4.) On account of illegal votes.

(5.) When by reason of errors in counting the ballots the person
declared to be elected did not in fact receive the highest number of
votes, and was not in fact elected. A statement shall be filed within

the time and containing the matters required by law in the case of contest of state elections.

Finley vs. City of Tucson, 7 Ariz. 108--60 Pac. 872.

3066. Upon the filing of such statement the clerk of the superior court shall issue a summons directed to the person whose election is contested in the form prescribed in this chapter in case of the contesting of the election of a person to a state office.

PROCEEDINGS UPON ELECTION CONTEST

3067. The summons provided in this chapter shall be served in the manner provided by law for the service of a summons in a civil action.

3068. Upon the filing of the answer, or if no answer is filed upon the expiration of the time specified in the summons in which an answer may be filed, the court shall set a time for the hearing of the contest. Such hearing may be continued for good cause shown until such time as the court may direct.

3069 After the contest has been started either party may have the ballots inspected before preparing for trial. The party applying for such inspection shall file with the clerk a verified petition stating that he cannot properly prepare his case for trial without an inspection of such ballots, and thereupon the court shall appoint three persons, one selected by each of the parties and one by the court, by whom such inspection shall be made. The inspection shall be made in the presence of the legal custodian of the ballots and the party applying therefor shall file with the clerk a bond in the sum of three hundred dollars with two sureties, approved by the clerk of the court in which the proceeding is pending, conditioned that he will pay the costs and expenses of such inspection in case he fails to maintain his contest. In case either party fails to name a person to act in making such inspection, the court shall make such appointment. The compensation of the persons making such inspection shall be fixed by the court and shall be taxed as costs against the defeated party.

PRIMARY ELECTIONS

3070. Primary elections may be contested in the same manner and within the same time as provided in this chapter for county elections.

TITLE IV

PENAL CODE, REVISED STATUTES OF ARIZONA, 1913, OF CRIMES AGAINST THE ELECTIVE FRANCHISE

35. Every person who wilfully causes, procures or allows himself to be registered as an elector of any county, city or precinct, knowing himself to be not entitled to such registration, and any officer who wilfully enters the name of any person not entitled to registration upon the register or roll of electors, is punishable by a fine not exceeding one thousand dollars, or by imprisonment in the state prison not exceeding five years, or by both such fine and imprisonment. In all cases where, on the trial of a person charged with any offense under the provisions of this section, it appears in evidence that the accused stands registered as an elector of any county, city or precinct, without being qualified for such registration, the court must order such registration to be cancelled.

36. Every person who wilfully causes or procures, or attempts to cause or procure, another person to be registered as an elector of any county, city or precinct in this state, knowing that such other persons is not entitled to such registration, shall be punished as provided in the preceding section.

37. Every person who, after being required by the board of judges at any election, refuses to be sworn, or being sworn, refuses to answer any pertinent question propounded by such board or any member thereof, touching the right of another to vote, is guilty of a misdemeanor.

38. Every person summoned to appear and testify before any registration officer, who wilfully disobeys such summons, is guilty of a misdemeanor.

39. It shall be unlawful for any person, directly or indirectly, by himself or through any other person:

(1.) To treat, give, pay, loan or contribute, or offer or promise to treat, give, pay, loan or contribute, any money or other valuable consideration to or for any voter or to or for any other person, to induce such voter to vote or refrain from voting at such election for any particular person or persons, or to induce such voter to go to

the polls, or remain away from the polls at such election, or on account of such voter having voted or refrained from voting for any particular person, or having gone to the polls or remained away from the polls at such election.

(2.) To give, offer or promise any office, place or employment, or to promise or procure or endeavor to procure any office, place or employment, to or for any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting at any election provided by law, or to induce any voter to vote or refrain from voting at any election for any particular person or persons.

(3.) To advance or pay or cause to be paid, any money or other valuable consideration to or for the use of any other person with the intent that the same, or any part thereof, shall be used in bribery at any election provided by law, or to knowingly pay or cause to be paid any money or other valuable thing to any person in discharge or repayment of any money, wholly or in part expended in bribery at any such election. Any violation of this section shall be deemed a misdemeanor.

40. It shall be unlawful for any person, directly or indirectly, by himself or through any other person:

(1.) To receive, agree or contract for, before or during an election provided by law, any money, gift, loan or other valuable consideration, office, place or employment for himself or any other person, for voting or agreeing to vote, or for going or agreeing to go to the polls, or for refraining or agreeing to refrain from voting for any particular person or persons, measure or measures, at any election provided by law.

(2.) To receive any money or other valuable thing during or after an election provided by law, on account of himself or any other person, for voting or refraining from voting at such election, or on account of himself or any other person, for voting or refraining from voting for any particular person at such election, or on account of himself or any other person, for going to the polls or remaining away from the polls at such election, or on account of having induced any person to vote or refrain from voting, or to vote or refrain from voting for any particular person or persons, measure or measures, at such election.

Any person violating any of the provisions of this section is guilty of a misdemeanor.

41. Every person who, with intent to promote the election of himself or any other person, either:

(1.) Furnishes entertainment at his expense to any meeting of electors previous to or during an election.

(2.) Pays for, procures or engages to pay for any such entertainment.

(3.) Furnishes or engages to pay or deliver any money or property for the purpose of procuring the attendance of voters at the polls, or for the purpose of compensating any person for procuring the attendance of voters at the polls, except for the conveyance of voters who are sick or infirm, or at a distance from such polls.

(4.) Furnishes or engages to pay or deliver any money or property for any purpose intended to promote the election of any candidate, except for the expense of holding and conducting public meetings for the discussion of public questions and of printing and circulating hand bills and other papers previous to such election, is guilty of a misdemeanor.

42. It shall be unlawful for any candidate for public office, before or during any election provided by law, to make any bet or wager with a voter, or to take a share or interest in, or in any manner to become a party to any such bet or wager, or to provide or agree to provide any money to be used by another in making such bet or wager, upon any event or contingency whatever, arising out of such election. Nor shall it be lawful for any person, directly or indirectly, to make a bet or wager with a voter, depending upon the result of any election provided by law, with the intent thereby to procure the challenge of such voter or to prevent him from voting at such election. Any violation of this section shall be deemed a misdemeanor.

43. Every person who makes, offers or accepts any bet or wager upon the result of any election, or upon the success or failure of any person or candidate, or upon the number of votes to be cast, either in the aggregate or for any particular candidate, or upon the vote to be cast by any person, is guilty of a misdemeanor.

44. It shall be unlawful for any person, directly or indirectly, by himself or any other person in his behalf, to make use of any force, violence or restraint, or to inflict or threaten the infliction, by himself or through any other person, of any injury, damage, harm, or loss, or in any manner to practice intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting for any particular person or persons, measure or measures, at any election provided by law, or on account of such person having voted or refrained from voting at any such election. And it shall be unlawful for any person by abduction, duress or any forcible or fraudulent device or contrivance whatever, to impede, prevent or otherwise interfere with the free exercise of the elective franchise of any voter, or to compel, induce or to prevail upon any voter either to give or refrain from giving his vote at any such elec-

tion, or to give or refrain from giving his vote for any particular person at any such election. It shall be unlawful for any employer, either corporation, association, company, firm or person, in paying its, their or his employees the salary or wages due them, to enclose their pay in "pay envelopes" upon which there is written or printed any political mottoes, devices or arguments, containing threats, express or implied, intended or calculated to influence the political opinion, views or actions of such employees. Nor shall it be lawful for any employer, either corporation, association, company, firm or person, within ninety days of any election provided by law, to put up or otherwise exhibit in its, their or his factory, workshop, mine, mill, boarding house, office or other establishment or place where its, their or his employees may be working or be present in the course of such employment, any hand bill, notice or placard containing any threat, notice or information that in case any particular ticket or candidate shall be elected, work in its, their or his place or establishment will cease in whole or in part, or its, their or his establishment will be closed, or the wages of its, their or his workmen be reduced, or other threats, express or implied, intended or calculated to influence the political opinions or actions of its, their or his employees. Any person or persons, or corporation, violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and any person, whether acting in his individual capacity or as an officer or agent of any corporation so guilty of such misdemeanor shall be punished as prescribed in the next section.

45. It shall be unlawful for any corporation or any officer or agent of any corporation to influence or attempt to influence by force, violence or restraint, or by inflicting or threatening to inflict any injury, damage, harm or loss, or by discharging from employment or promoting in employment or by intimidation or otherwise in any manner whatever, to induce or compel any employee to vote or refrain from voting at any election provided by law, or to vote or refrain from voting for any particular person or persons, measure or measures at any such election. Any such corporation, or any officer or agent of such corporation, violating any of the provisions of this section, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding five thousand dollars.

46. All payments and contributions of money for election expenses made by candidates for office in this state shall hereafter be assessed and made by such candidates by voluntary assessment among themselves and not otherwise, and at meetings to be called for such purposes, at which meeting none but candidates for office at the next ensuing election shall be present or participate.

47. Any person being a candidate for office in this state, who

shall directly or indirectly pay, or knowingly cause to be paid, any money or other valuable thing to any person as an assessment or contribution for the expenses of the election at which such person or candidate is to be voted for, except the contribution or assessment so agreed upon by such meeting of candidates, shall be guilty of a misdemeanor.

48. Every person who gives or offers a bribe to any officer or member of any legislative caucus, political convention, committee, primary election, or political gathering of any kind, held for the purpose of nominating candidates for offices of honor, trust, or profit, in this state, with intent to influence the person to whom such bribe is given or offered to be more favorable to one candidate than another, and every person, member of either of the bodies in this section mentioned, who receives or offers to receive any such bribe, is punishable by imprisonment in the state prison not less than one nor more than fourteen years.

49. Every person who, by threats, intimidations, or unlawful violence, wilfully hinders or prevents electors from assembling in public meeting for the consideration of public questions, is guilty of a misdemeanor

50. Every person who wilfully disturbs or breaks up any public meeting of electors or others, lawfully being held for the purpose of considering public questions, is guilty of a misdemeanor.

51. Every person who prints any ballot not in conformity with the laws of this state relating to elections, or who circulates or gives to another any ballot, knowing at the time that such ballot does not conform to the laws of this state, relating to elections, is guilty of a misdemeanor.

52. Any person keeping a public house, saloon, or drinking place, who shall sell, give away or otherwise dispose of any intoxicating liquors, on any part of any day set apart, or to be set apart, for any general or special election, during the hours when by law the polls are required to be kept open, is guilty of a misdemeanor.

53. Any person who shall demand, ask for, collect or receive, either directly or indirectly, any money or valuable thing from any candidate or candidates for office in this state, on the ground that such money or other valuable thing has been assessed to such candidate or candidates, or asked for, demanded or required by any person, convention, committee or other political association, as or for the payment of election expenses of any kind or nature whatever, or as for the expenses of such committee, convention or association, shall for each offense, be deemed guilty of a misdemeanor; but nothing herein contained shall prevent the candidates at any election from assembling together and voluntarily assessing themselves

for any expenses authorized by law for the common good of the ticket, and from collecting and disbursing the same by agents appointed for such purpose.

54. Any person who shall voluntarily and unsolicitedly offer to work for and assist, or in any manner voluntarily contribute to the nomination or election of any candidate or other person to any office in this state, for the purpose and with the intent to have such candidate or person pay or in any manner compensate such person so offering for such work or services, shall be deemed guilty of a misdemeanor.

55. Every officer or clerk of election who changes or destroys or aids in changing or destroying, or in placing any ballots in the ballot box, or taking any therefrom, or adds or attempts to add any ballots to those legally polled at such election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted, or adds to or mixes with, or attempts to add to or mix with the ballots polled, any other ballots, while the same are being counted or canvassed, or at any other time, with intent to change the result of such election, or allows another to do so, when in his power to prevent it, or carries away or destroys, or knowingly allows another to carry away or destroy any poll list, ballot box or ballots, lawfully polled, is punishable by imprisonment in the state prison for not less than two nor more than seven years.

56. Every inspector, judge or clerk of an election, who, previous to putting the ballot of an elector in the ballot box, attempts to find out for whom such elector has voted, or who opens, or suffers the folded ballot of any elector which has been handed in, to be opened or examined, previous to putting the same into the ballot box, or who makes or places any mark or device on any folded ballot with the view to ascertaining for whom any elector has voted, or who without the consent of the elector, discloses the name of any person which such inspector, judge or clerk has fraudulently or illegally discovered to have been voted for by such elector, shall be punished by a fine of not less than fifty nor more than five hundred dollars.

57. Every person who forges or counterfeits returns of an election purporting to have been held at a precinct, town, or ward where no election was in fact held, or wilfully substitutes, forges or counterfeits returns of election in the place of the true returns for a precinct, town, or ward where an election was actually held, is punishable by imprisonment in the state prison for a term of not less than two nor more than ten years.

58. Every person who wilfully adds to or subtracts from the votes actually cast at an election, in any returns, or who alters such

returns, is punishable by imprisonment in the state prison for not less than one nor more than five years.

59. Every person who aids or abets in the commission of any of the offenses mentioned in the four preceding sections, is punishable by imprisonment in the county jail for the period of six months or in the state prison for not more than two years.

60. Every person who, by force, threats, menaces, bribery, or any corrupt means, either directly or indirectly, attempts to influence any elector in giving his vote, or to deter him from giving the same, or attempts by any means whatever to awe, restrain, hinder, or disturb any elector in the free exercise of the right of suffrage, or defrauds any elector at any such election by deceiving and causing such elector to vote for a different person for any office than he intended or desired to vote for; or who, being inspector, judge or clerk of any election, while acting as such, induces or attempts to induce any elector, either by menace or reward or promise thereof, to vote differently from what such elector intended or desired to vote, is guilty of a felony.

61. Every person not entitled to vote who fraudulently votes, and every person who votes more than once at any election, or knowingly hands in two or more ballots folded together, or changes any ballot after the same has been deposited in the ballot box, or adds or attempts to add any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted; or adds to or mixes with, or attempts to add to or mix with, the ballots lawfully polled, other ballots, while the same are being canvassed or counted, with intent to affect the result of such election, or to produce the same as evidence on the trial of any election contest, or carries away, conceals or removes any poll list, ballot or ballot box from the polling place or from the possession of the person or persons authorized by law to have the custody thereof, or destroys or attempts to destroy any polling list, ballot or ballot box for the purpose of breaking up or invalidating such election, or wilfully detains, mutilates or destroys any ballots or election returns, or who aids, counsels, procures, advises or assists any person or persons to do any of the acts aforesaid, is guilty of a felony.

62. Any person who, at any election provided for by the laws of this state, shall interfere in any manner with any officer of such election in the discharge of his duty, or who shall induce any officer of any election or officer whose duty it is to ascertain, announce or declare the result of any such election, or give or make any certificate, document or evidence in relation thereto, to violate or refuse

to comply with his duty or any law regulating the same, is guilty of a felony.

63. Every person not entitled to vote, who fraudulently attempts to vote, or who being entitled to vote, attempts to vote more than once at any election, is guilty of a misdemeanor.

64. Every person who procures, aids, assists, counsels or advises another to give or offer his vote at any election, knowing that such other person is not entitled to vote, is guilty of a misdemeanor.

65. Every person charged with the performance of any duty under the provisions of any law of this state relating to elections, who wilfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, is, unless a different punishment for such acts or omission is prescribed by this code, punishable by a fine of not more than one thousand dollars, or by imprisonment in the state prison not exceeding five years, or both.

66. The provisions of this title defining crimes against the elective franchise, and prescribing penalties and punishment therefor, shall be made to apply to any general or special election, or to any election ordered by the board of supervisors for any purpose for which said board of supervisors are authorized by law to order an election.

711. It shall be unlawful for any person to induce or compel, or attempt to induce or compel, by menace or threat, either directly or indirectly, any other person to sign or subscribe, or to refrain from signing or subscribing his name to any initiative, referendum, or recall petition, or petition to any officer or official body, or, after signing or subscribing his name, to have his name taken therefrom. Any direct or indirect menace or threat that any person will or may be injured in his business or discharged from any lawful employment in which he is engaged, or will not or shall not be employed in any lawful vocation or labor, shall be deemed a violation of this act. (Sec. 711.)

712. Any person who shall violate any of the provisions of this act (Sec. 711) shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

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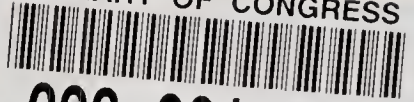
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